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PROVINCIAL LABOUR STANDARDS

DECEMBER, 1959

DEPARTMENT OF LABOUR OF CANADA
LEGISLATION BRANCH

HON. MICHAEL STARR
MINISTER

A. H. BROWN
DEPUTY MINISTER



PROVINCIAL LABOUR STANDARDS

CONCERNING CHILD LABOUR, HOLIDAYS, HOURS OF WORK,
MINIMUM WAGES, EQUAL PAY FOR EQUAL WORK,
WORKMEN'S COMPENSATION,
FAIR EMPLOYMENT PRACTICES AND WEEKLY REST-DAY

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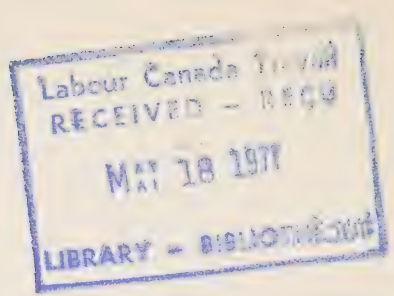


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FOREWORD

This bulletin, which has been issued annually since 1944 (1957 excepted), sets out the standards which are in effect in the provinces of Canada with respect to child labour, holidays, hours of work, minimum wages, equal pay for equal work, fair employment practices, weekly rest-day and workmen's compensation. Changes in provincial laws and regulations in 1959 are summarized below.

In 1959 the *Prince Edward Island School Act* was amended, raising the school-leaving age from 15 to 16 years.

The *Manitoba* Legislature amended the *Vacations with Pay Act*, effective from January 1, 1960, to provide for a vacation of two weeks with pay after one year's service with an employer, in substitution for the former provision for a one week's vacation after one year of service and two weeks after three years.

Provision was also made for the payment of vacation pay to construction workers in the Greater Winnipeg area by cheques issued by the Department of Labour annually. Under the new scheme, which replaces the stamp system previously in effect, an employer is required to pay to the Minister of Labour, at such times as the Minister prescribes, an amount equal to the total vacation pay credits then due to his employees. The Minister will establish in the records of the Department of Labour a special account for each employee in respect to whom he has received vacation pay, and will in turn pay the amounts received to the Provincial Treasurer, who will credit them to a special division of the Consolidated Fund. After June 30 in each year the Minister will requisition and send to each employee a cheque in the amount of vacation pay which he has to his credit.

A further amendment permits the *Manitoba Labour Board* to include in an employee's period of service, for the purpose of qualifying for an annual vacation, any time during which he was absent from work on account of injury and in receipt of workmen's compensation.

The *Saskatchewan Annual Holidays Act*, which was amended in 1958 to provide for a three weeks' vacation with pay after five years' service, was further amended to make employees whose service with their employer has not been continuous eligible for a three weeks' vacation on the basis of five years' accumulated service, provided that no interval between two consecutive periods of employment was longer than 182 days.

In *Newfoundland*, an amendment to the *St. John's Shops Act*, effective from January 1, 1960, limits hours of shop assistants in St. John's and within a six-mile area to 40 per week unless they are paid at an overtime rate fixed by agreement, not less than time and one-half the regular rate.

A new *Women's Minimum Wage Act* was enacted in *Prince Edward Island*. With this enactment, all provinces have minimum wage legislation.

The Act provides for the fixing of minimum rates by the *Labour Relations Board*. The Board is empowered, after the holding of an inquiry, to fix a minimum wage for women employees in different employments or in different classes or descriptions of any employment. The orders of the Board require the approval of the *Lieutenant-Governor in Council*.

Farm workers and domestic servants are the only groups of workers excluded from the Act.

Minimum wage orders were revised in *Quebec*, effective from January 1, 1960, raising minimum rates by approximately 15 per cent.

Prince Edward Island enacted an Equal Pay Act, bringing the number of provinces with equal pay laws to seven.

The wording of the Act is like that of the Acts of *British Columbia*, *Nova Scotia* and *Ontario* in that an employer is forbidden to pay a female employee at a lower rate than the rate paid to a male employee "for the same work done in the same establishment". A complaint regarding equal pay is to be made to the Labour Relations Board, and the Board is authorized to inquire into the complaint and endeavour to effect a settlement. The penalty for a violation of the Act is a fine of up to \$100.

Fair Employment Practices Acts were amended in *Nova Scotia* and *Saskatchewan*. The *Nova Scotia* amendment made the Act applicable to all employers rather than to those employing five or more employees. In *Saskatchewan*, the amendments were designed to strengthen the provisions of the Act regarding advertisements, application forms and inquiries in connection with employment.

Under Workmen's Compensation Acts, the percentage rate of earnings on which awards for disability are based was raised from 70 to 75 in *Nova Scotia*, making a 75 per cent rate uniform in all provinces. The ceiling on annual earnings was increased from \$3,000 to \$3,600 in *Nova Scotia*, from \$3,500 to \$4,500 in *Manitoba* and from \$4,000 to \$5,000 in *British Columbia*.

Four provinces raised the minimum weekly payment for temporary total disability. In *Nova Scotia* and *New Brunswick*, the minimum, which was formerly \$15 a week or earnings, if less, was raised to \$20 and \$25, respectively. In *Manitoba*, the minimum was increased from \$15 to \$25, and in *Saskatchewan*, it was increased from \$25 to \$30. In the two latter provinces, the same increases were provided in the minimum weekly payment for permanent total disability.

Benefits in fatal cases were also increased. The allowance for funeral expenses was raised from \$200 to \$250 in *Nova Scotia* and from \$200 to \$300 in *New Brunswick*. *Saskatchewan* provided a new allowance of up to \$50 for a burial plot.

Five provinces increased the lump sum payment to a widow. The increases were from \$100 to \$150 in *Nova Scotia*, from \$100 to \$200 in *Prince Edward Island*, from \$100 to \$250 in *British Columbia*, from \$200 to \$300 in *Manitoba*, and from \$250 to \$300 in *Saskatchewan*. *British Columbia*, *Manitoba* and *Nova Scotia* increased a widow's monthly pension to \$90, \$75 and \$60 from \$75, \$65 and \$50, respectively. The \$90 pension in *British Columbia* is the highest payable under any of the Acts.

The monthly allowance to a dependent child was increased to \$20 in *New Brunswick*, to \$22.50 in *Nova Scotia*, and to \$35 in *British Columbia* and *Manitoba*, (from \$12, \$20, \$25 and \$25, respectively). In *Nova Scotia*, the maximum monthly allowance which may be paid to a widow and children was raised from \$150 to \$172.50. Monthly allowances of \$40 in *New Brunswick* and *British Columbia* and of \$45 in *Manitoba* were provided for orphans. The amounts formerly payable were \$25, \$30 and \$35, respectively. In *Saskatchewan*, provision was made for the payment of a lump sum not exceeding \$50 at the discretion of the Board to each orphan child under 16.

A further change in *Saskatchewan* was that the Board was empowered to make compensation payments to the age of 19 in respect of a child who is continuing his education. Formerly, payments might not be continued beyond the age of 18. In *British Columbia*, the maximum monthly allowance payable to dependants other than widow and children was raised from \$75 to \$90.

I STATUTORY SCHOOL-LEAVING AGES IN CANADA

In all the provinces there is a compulsory school attendance law, but exemptions are permitted in case of illness, distance from school or lack of accommodation and, except in British Columbia, for home duties and for employment. Provisions as to exemption are shown below. The laws place restrictions on employment of children of school age during school hours.

Nfld.*	P.E.I.	N.S.*	N.B.	Que.*	Ont.*	Man.*	Sask.	Alta.*	B.C.
15 Exemption: With certificate for a stated period, but if child is under 12 for not more than 2 months in a school year, unless with approval of Minister (a).	16 unless has completed courses in public school. Attendance required for only 75% of term except in Charlottetown and towns where 90% attendance is required. Exemption: (1) For pov- erty; (2) If 12, for not more than 6 weeks in year (b).	16, cities and towns, 14 elsewhere but 15 or 16 may be fixed local- ly. Exemption: (1) If 12, for not more than 6 weeks in year (c); (2) If 13, with employment certificate. Medical certificate may be required.	16 unless has passed grade 11. 14 by resolution in rural dis- tricts unless has passed grade 8. Exemption: Not more than 6 weeks in term (d).	14 unless has completed elementary school. Exemption: Not more than 6 weeks in year (d).	16 unless has com- pleted second- ary school or equivalent. Exemption: Under 14, for not more than 6 weeks in term (d); 14-16, if home permit or employment certificate granted. Home permit unneces- sary in rural districts.	16 may be fixed by district. 14 otherwise, but 16 if not employed in industry, home duties or farm work. Exemption: Over 12, not more than 4 weeks in year (e).	15 unless has passed grade 8. Exemption: (a).	15 unless has passed grade 9 or equivalent. Exemption: Not more than 6 weeks in term (d).	15 unless has completed course at nearest pub- lic school and trans- port to higher school not provided.

(a) If services needed for maintenance of self or others.

(b) If services needed in husbandry or other necessary employment.

(c) If services needed in farming, home duties or other necessary employment.

(d) If services needed in farming, home duties, maintenance of self or others.

(e) If services needed in husbandry or home duties.

* Child reaching school-leaving age required to attend school to end of school year in Newfoundland, Nova Scotia, Ontario and Quebec, to end of term in Manitoba, and in Alberta, to end of June term if age reached in that term.

II MINIMUM AGE FOR EMPLOYMENT

The table given below shows the minimum age for certain classes of establishments. In addition, the Canada Shipping Act fixes a minimum age of 15 for employment at sea. No minimum age has been established for employment in agriculture in Canada.

International Labour Conventions have established 14 as the minimum age in agriculture, 15 for employment at sea, in industrial undertakings and, with some exceptions, in non-industrial undertakings.

	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
MINES	18, below	—	Coal: 18, below Metal: 16, above 18, below	Coal: — above 16, below Metal: 16, above 18, below	— above 15, below	16, above 18, below	16, above 18, below	Coal: 16 Metal: 16, above 18, below	17, above 17, below	Coal: 16, above 17, below Metal: 15, above 18, below
FACTORIES	—	15	14 (a)	16 except with permit	14 (b) (c) (d)	14 (a)	15	16	15	15 except with permit
SHOPS	—	—	—	16 except with permit	14 (b) (c)	14 (a)	15 except with permit	—	15 (e)	15 except with permit
HOTELS RESTAURANTS	—	—	14	16 except with permit	—	14 (a) (restaurants only)	15 except with permit	16	15	15 except with permit

(a) 16 from 8 a.m. to 5 p.m. except with employment certificate or except on school holidays.

(b) The Government may exempt establishments from the Act.

(c) 16 unless able to read and write fluently or attending night school. Permit from Provincial Employment Service required for employment between 14 and 16 years.

(d) For certain dangerous trades, the minimum age is 18 for boys; for others, it is 16 for boys and 18 for girls.

(e) Minimum age of 12 years in certain occupations, including work as clerk, delivery boy or delivery girl in retail store, with written consent of parent and subject to restrictions on hours (2 hours on a school day, 8 hours on any other day), if not injurious to life, limbs, health, education or morals.

III ANNUAL VACATIONS WITH PAY

Annual vacations with pay are provided for by law in Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan. Provision for annual vacations with pay is made in Alberta in the Alberta Labour Act and in orders under it; in Ontario in the Hours of Work and Vacations with Pay Act and regulations; and in Quebec in Order 3 under the Minimum Wage Act and in most decrees* under the Collective Agreement Act. In the other provinces annual vacations with pay are provided for in separate statutes.

The New Brunswick Vacation Pay Act applies only to mining, construction, and the processing, canning and packing of fish, vegetables and fruit. In the seven provinces which have Acts or orders of general application most workers are covered, with the exceptions noted below.

Farm workers are excluded in all provinces. Persons employed in horticulture in British Columbia, in growing flowers, fruits and vegetables in Ontario, and in ranching and market gardening in Manitoba and Saskatchewan are also excluded. Domestic servants are exempted in all provinces but Manitoba and Saskatchewan. Professional workers are excluded in British Columbia and Ontario, employees of municipal and school corporations in Quebec, salesmen in Alberta, Ontario and Quebec, persons engaged in funeral directing and embalming in Ontario and workers employed in lumbering and commercial fishing in Nova Scotia. In addition to the groups already mentioned, apartment house janitors, caretakers provided with free lodgings, home-workers, part-time workers working three hours or less in a day and a few other groups are excluded in Quebec. Also excepted are the large group of workers governed by decrees under the Collective Agreement Act (see footnote below). The Manitoba Act excludes independent contractors, and employees of railway and express companies under federal jurisdiction. Workers governed by a collective agreement in British Columbia are exempted from the Act if the Minister of Labour approves the vacation provisions of the agreement.

In New Brunswick, Nova Scotia, Ontario and Quebec, a worker is entitled to a vacation with pay of one week after a year of employment; in Alberta, the vacation requirement is one week after one year's service and two weeks after two years; and in British Columbia, Manitoba and Saskatchewan, an employee is entitled to a two weeks' vacation with pay after working one year. The Saskatchewan Act further provides for a three weeks' vacation after five years' service with the same employer. An employee whose service with an employer has not been continuous is eligible for a three weeks' vacation after five "accumulated" years of employment, if no break in his service has exceeded 6 months (182 days). The Saskatchewan Act also provides that a system of cumulative vacations may be established by regulations, under which an employee may, by agreement with his employer and with the approval of the Minister, postpone one week of his vacation each year for a period not exceeding four years.

* Provisions for an annual vacation with pay or pay in lieu of a vacation vary in the approximately 100 decrees in effect under the Collective Agreement Act and are not dealt with in this bulletin. The Department of Labour or Minimum Wage Commission has no jurisdiction with respect to the administration and enforcement of the decrees, which are under the supervision of the parity committee concerned. The legislation described above is Minimum Wage Order 3. Order 39 of the Minimum Wage Commission governing forest operations provides for vacation pay at the rate of 2 per cent of earnings for any worker who works at least 75 days within a four-month period for the same employer.

The length of the vacation period and the vacation pay requirements in the various provinces are shown in the table below.

	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Length of Annual Vacation	1 week	1 week*	1 week	1 week	2 weeks	2 weeks; 3 weeks after 5 years' service	1 week; 2 weeks after 2 years' service	2 weeks
Vacation Pay	2% of annual earnings	2% of annual earnings	Regular pay if paid by the week or longer period; otherwise 2% of annual earnings	2% of annual earnings	Regular pay	1/26 of annual earnings in first four years; 3/52 of annual earnings after fifth year	Regular pay	4% of annual earnings

*In construction, mining, and the processing, canning, and packing of fish, vegetables and fruit.

The employer may determine the time when each of his employees may take the annual vacation provided for, within certain limits laid down by law. The vacation must be given in New Brunswick not later than 4 months after the working year ends; in Saskatchewan *within* 10 months, and in British Columbia, Manitoba, Nova Scotia and Ontario, *not later than* 10 months, after the date on which the employee becomes entitled to a vacation; in Alberta within 12 months after the date on which the employee becomes entitled to a vacation; and in Quebec within 12 months after May 1 of every year.

If a worker has worked less than a year, he is entitled in Quebec to a half-day for each calendar month of employment, and in Saskatchewan he may by agreement with his employer be given one day for each month.

In Alberta, British Columbia and Nova Scotia, a worker who during a year of employment has worked less than the prescribed working time constituting a year's service (less than 225 days in Alberta and British Columbia, less than 90 per cent of regular working hours in Nova Scotia) and who continues to work for the same employer must be paid vacation pay at the rate of 2 per cent of earnings for the period worked. The vacation pay is payable within 30 days (one month in Nova Scotia) after the anniversary date of the worker's employment. A worker in the construction industry in Ontario whose employment with his employer extends beyond June 30 must be given vacation stamps on that date equal in value to 2 per cent of his earnings during the preceding period of employment. A worker in construction or mining or in the canning and packing industries in New Brunswick who has worked for his employer for less than a year and continues to be employed must be given the requisite amount of vacation stamps, equal in value to 2 per cent of his earnings, not later than four months after the year ends.

If employment is terminated during a working year, the worker is entitled to vacation pay in Alberta, British Columbia, Nova Scotia, Quebec and Saskatchewan. In New Brunswick and Ontario, a worker who ceases to be employed before working a full year is entitled to vacation pay credits in the form of stamps. A worker must have been employed for at least 30 days

in Alberta and for at least three months in Nova Scotia in order to be eligible for vacation pay. In Ontario, an employee who leaves his employment of his own accord must have been employed for at least three months in order to qualify for vacation credit; where, however, the employment is terminated by the employer, the employee must be given vacation credit for whatever time he has been employed. Payment is made at the rate of 4 per cent of earnings in British Columbia, at the rate of 1/26 or 3/52 of earnings, depending on the year of employment, in Saskatchewan, and at the rate of 2 per cent of earnings in the other provinces (in Alberta, 4 per cent of earnings in a second or subsequent year of employment).

A stamp system of vacation pay credits is in effect in Alberta, New Brunswick, Nova Scotia, Ontario and Quebec for workers in the construction industry who are frequently employed by several employers during a year. In Ontario, the stamp system is used in any industry under the Act if employment is terminated during a working year. It is also in effect in New Brunswick in mining and in the canning and packing industries for employees who cease to be employed before completing a year of employment.

In British Columbia, the administrative board has authority to establish a system of vacation credits, and in the provinces in which the stamp system is now used in the construction industry only, a wider use of the stamp system is authorized. In Alberta, an employer in any industry other than construction may, with the approval of the administrative board, adopt the vacation stamp system. In Nova Scotia, vacation stamps may be used in any industry designated by the Lieutenant-Governor in Council, and in Quebec they may be used in any industry other than the building construction industry, if the employer and his employees so agree.

Under the vacation stamp system, the employer affixes vacation with pay stamps to the worker's stamp book at the end of each pay period in Alberta and Quebec, or in New Brunswick, Nova Scotia and Ontario, when the employment ends. In Ontario, stamps must be affixed within 10 days after the worker presents his book; in Nova Scotia, the employer must furnish the worker with a stamp book within 10 days after his employment is terminated and affix to the book the requisite amount of stamps. Stamps are equivalent in value to 2 per cent of the worker's earnings in New Brunswick, Nova Scotia, Ontario and Quebec and to 4 per cent in Alberta.

The worker cashes his stamps at a savings bank or, in Quebec, at the office of the Minimum Wage Commission. Stamps may be exchanged for their cash value after May 1 in each year in Quebec, and after June 30 in New Brunswick and Ontario. In Alberta, an employee may obtain the cash equivalent of his vacation credits at any time within the 12 months beginning on January 15 in each year, and in Nova Scotia, an employee may cash his stamps at any time after the anniversary date of his employment.

In Manitoba, the vacation stamp system previously in effect for transitory employees in the construction industry in the Greater Winnipeg area was replaced, from January 1, 1960, by a system of cheques issued by the Department of Labour annually.

Under this system, employers are required to make payment of vacation pay to the Minister of Labour at such times as the Minister prescribes, to furnish to the Minister the name and address of each employee, the number of his unemployment insurance book and other information, and to notify the employee in writing of the amount paid.

The Minister will in turn pay the amounts received to the Provincial Treasurer, who will credit them to a special division of the Consolidated Fund.

As soon as practicable after June 30 in each year, the Minister will requisition a cheque in favour of each employee in respect of whom he has received vacation pay, in the amount to his credit in the records of the Department of Labour, less any charge for administrative expenses, and send it to the employee.

Construction workers in the Greater Winnipeg area who are unemployed and have exhausted their unemployment insurance benefits may be permitted to cash vacation stamps issued to them on or after July 1 at any time after November 30 or, under the new scheme, may obtain their vacation pay in the form of a cheque from the Minister of Labour, after November 30 in any year.

IV PUBLIC HOLIDAYS

Some statutory provision concerning public holidays is made in Alberta, British Columbia, Manitoba, Newfoundland, Nova Scotia and Saskatchewan.

In British Columbia, factories, with the exception of certain continuous industries, must be closed on public holidays, unless the inspector gives permission for employment. The establishments for which a permit is not required are those engaged in the production of light, heat or power, railway and street railway repair shops, metallurgical works, bakeshops in a municipality, milk processing and distributing plants, oil refineries, factories manufacturing cement, glass or chemicals, and laundries operated in conjunction with hospitals.

"Public holiday" for this purpose, under the British Columbia Factories Act, includes Christmas, New Year's Day, Victoria Day, Dominion Day, Labour Day, Remembrance Day, any day declared to be a public holiday by Proclamation, and, at the option of the employer, either Good Friday or Easter Monday. Boxing Day (December 26) and Thanksgiving Day are proclaimed each year as holidays under the Factories Act.

Shops in all municipalities in British Columbia must be closed on the holidays listed above, including both Good Friday and Easter Monday, and on Boxing Day, the Queen's Birthday and Thanksgiving Day.

In Manitoba, in all employment except farming, time and one-half the regular rate must be paid for work done on seven general holidays, or in the industries listed below, compensatory time off may be given.

Persons employed in a continuously operating plant, a seasonal industry, a place of amusement, a gasoline service station, a hospital, a hotel or a restaurant, or in domestic service need not be paid time and one-half, if by custom or agreement, they are given equivalent compensatory time off with pay. Two half-days off may be granted to domestic servants in lieu of one full holiday.

The seven "general holidays" are New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day and Christmas Day.

By a special Act, Remembrance Day has been declared a public holiday in Manitoba. Work for gain or reward is prohibited although certain essential services may be carried on. Any employee, other than a watchman, furnace tender or janitor, who is required to work and who is paid at his regular rate of pay must be granted equivalent compensatory time off, without loss of pay, within 30 days.

In Newfoundland, shops must be closed on specified public holidays in St. John's and Exploits Valley and in certain proclaimed shop-closing areas.

Wages in relation to public holidays are dealt with under minimum wage orders in Alberta, Manitoba, Nova Scotia and Saskatchewan.

Nova Scotia minimum wage orders, which are applicable to women workers only, prohibit any deduction from the minimum weekly wage for time not worked because of public holidays, if an employee has worked all the scheduled working days in the week during which the holiday occurs, and, in the case of a holiday falling on Monday, if she worked the last scheduled working day immediately before the holiday.

In Manitoba, both men and women workers are protected against a reduction in the minimum weekly wage for time not worked on a general holiday which falls on a regular working day. The Manitoba orders provide that, where an employee does not work on a holiday but does work the regularly scheduled hours on all the other working days in the week, it is to be presumed, for the purpose of determining the minimum amount of wages to be paid to the employee for that week, that he worked regular hours on the holiday. An employee does not lose the benefits of this provision through being absent on either the day before or the day after the holiday because of established illness or with the employer's consent. The holidays referred to in the orders are the same as those listed on the preceding page.

The Alberta orders forbid an employer to reduce the wages of an employee of either sex who normally works 40 hours or more per week below the prescribed minimum wage by making a deduction for time not worked on a holiday when the employer's place of business is closed. In any minimum wage order the Board may provide that for work done on a holiday the overtime rate must be paid.

Saskatchewan provides for the same eight holidays as Manitoba. Workers who do not work on a public holiday must be paid full wages at regular rates for the holiday.

For work done on a holiday, employees in all workplaces except hotels, restaurants, hospitals, nursing homes and educational institutions must receive, in addition to the regular daily wage, time and one-half the regular rate for every hour or part of an hour worked.

Full-time workers in hotels, restaurants, hospitals, etc., who are required to work on a holiday must be paid, in addition to the regular daily wage, wages at their regular rate or they may be granted equivalent time off at regular rates of pay within four weeks.

When Christmas or New Year's Day falls on Sunday, the requirements set out above apply to the following Monday. They also apply when the Monday following Remembrance Day is declared a holiday.

There are also provisions prohibiting or regulating work on specified public holidays in industrial standards schedules in Alberta, New Brunswick, Nova Scotia, Ontario and Saskatchewan, in orders in council under Part II of the Manitoba Fair Wage Act and in decrees under the Quebec Collective Agreement Act.

V MAXIMUM HOURS OF WORK IN MINES, FACTORIES, SHOPS AND OFFICES

Five provinces have Acts of general application limiting working hours (the Alberta Labour Act, Part I; the British Columbia Hours of Work Act; the Manitoba Employment Standards Act, Part III; the Ontario Hours of Work and Vacations with Pay Act; and the Saskatchewan Hours of Work Act).

These Acts are of two types. Those of Alberta, British Columbia and Ontario set daily and weekly limits on hours, and provide that work may not continue beyond these limits without the permission of the administrative authority. The Manitoba and Saskatchewan Acts do not, strictly speaking, impose limits on hours. They provide instead that time and one-half the regular rate must be paid where work is carried on beyond specified daily or weekly hours (in Manitoba, after 8 and 48 hours for men and 44 hours for women; in Saskatchewan, after 8 and 44 hours). A 1958 amendment to the Saskatchewan Act, however, empowered the Lieutenant-Governor in Council to limit daily hours in any class of employment. Where any such regulation is made governing a particular occupation, work beyond 12 hours in a day is prohibited, unless authorized in writing by the Minister of Labour.

Exemptions from the standards imposed are permitted under all the Acts.

In Alberta, working hours are limited to 8 in a day and 48 in a week except in the four largest cities, Edmonton, Calgary, Lethbridge and Medicine Hat, where 8 and 44-hour limits have been in effect since 1952. The British Columbia Act sets a maximum of 8 hours in a day and 44 hours in a week. In both Alberta and British Columbia, the administrative board has statutory power to permit exceptions and where it permits hours limits to be exceeded it may fix the minimum wage payable for overtime. In both provinces the board has made special orders for some industries, exempting workers entirely from hours limitations or permitting them to work a maximum number of additional hours, subject to definite overtime pay requirements.

The Ontario Act limits working hours to 8 in a day and 48 in a week. Provision is made in a general order for the working of overtime in any establishment, with the approval of the administrative board, to the extent of 100 hours in each year for each employee. Engineers, watchmen, firemen, shippers and other persons engaged in non-productive work may, with board approval, work 12 hours' overtime in each week.

In Saskatchewan, it has been necessary to provide for some relaxation of the provisions of the Act, and regulations permit a 48-hour week to be worked in workplaces, other than factories, in the smaller centres before overtime rates apply. Other regulations permit hours to be averaged over a specified period, thus allowing some variation from week to week. Certain classes of employment have been entirely exempted from the Act.

The Manitoba Act applies only in the chief industrial areas of the province. As in other provinces, the administrative board may authorize longer hours under certain circumstances.

Under all the Acts, there is provision for working 9 or more hours in a day in order to establish a 5-day week, provided the weekly maximum is not exceeded. The Acts also stipulate that hours may be exceeded in emergencies.

In a few provinces mines and factory Acts regulate hours of work. In Nova Scotia and New Brunswick, mines Acts, which set a maximum 8-hour day, provide the only statutory regulation of hours of work of miners; in the other provinces, hours of work Acts apply.

Provisions contained in factory legislation limiting working hours of women and young persons have been superseded by hours of work laws in some provinces. In New Brunswick and Nova Scotia, however, factories Acts place some restrictions on hours of women and boys under 18. In New Brunswick, longer hours than those fixed by the statute may be permitted by the Minister of Labour and in Quebec by the inspector. The Nova Scotia Factories Act limits hours of boys and girls under 16 to 8 in a day and 48 in a week.

In Newfoundland, Acts governing shops fix maximum hours for shop assistants. A 1959 amendment to the St. John's Shops Act, effective from January 1, 1960, limits hours of shop assistants in St. John's and a six-mile radius to 40 in a week unless time and one-half is paid.

The table shows the maximum hours fixed under the statutes mentioned above for employment in mines, factories, shops and offices. It does not include the maximum hours of work set for certain classes of factories and shops by decrees under the Quebec Collective Agreement Act or by industrial standards schedules in Alberta, Ontario and Saskatchewan. Likewise omitted are provisions relating to children, the 8-hour day and 48-hour week in Nova Scotia factories for boys and girls under 16, and the 48-hour week for work below ground in Quebec mines for boys under 17.

Where special overtime rates are fixed, they are shown on page 17.

	Nfld.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Cool Mines									
Above	—	—	—	—	—	—	8,44 ^a	8,48	8,44
Below	—	8	8	—	—	—	8,44 ^a	8,48	8,44
Metal Mines									
Above	—	—	8	—	8,48	8,48(men) ^a	—	8,48	8,44
Below	—	—	8	—	8,48	8,48(men) ^a	—	8,48	8,44
						8,48(men) ^d		8,48	
Factories	—	—	9,54 ^b	10,55 ^b	8,48 ^c	8,44(women) ^d	8,44 ^e	8,44(4 cities) ^f	8,44
	8 ^b 54 (various shop-closing areas)	—	—	60 ^b	8,48 ^c	8,48(men) ^d	8,44 ⁱ	8,48	
Shops	40 (St. John's) ^g	—	—	—	—	8,44(women) ^d	8,44 ⁱ	8,44(4 cities) ^f	8,44
	8 ^b 54 (various shop-closing areas) ^j	—	—	—	8,48	8,48(men) ^d	8,44 ⁱ	8,48	
Offices	40 (St. John's) ^g	—	—	—	—	8,44(women) ^d	8,44 ⁱ	8,44(4 cities) ^f	8,44

^a These limits apply unless time and one-half is paid.

^b Females and boys under 18.

^c In case of exemptions under the Hours of Work Act, maximum hours permitted for women and boys under 16 are 10 and 60, the limits set by the Factory, Shop and Office Building Act.

^d These limits apply unless time and one-half is paid. Women may not work overtime to a greater extent than 3 hours in a day, 12 hours in a week and 24 hours in a month.

^e These limits apply unless time and one-half is paid. The Factories Act prohibits employment of women beyond 48 hours in a week. Thus, women in factories must be paid time and one-half if they work beyond 44 hours in a week and they may not work more than 48 hours.

^f Maximum hours are 8 and 44 in Edmonton, Calgary, Lethbridge and Medicine Hat.

^g This limit applies unless an overtime rate not less than time and one-half is paid.

^h Females and boys under 18 in towns of 10,000 or more.

ⁱ These limits apply unless time and one-half is paid. In centres of less than 500 population, time and one-half must be paid after 48 hours in a week.

^j These limits apply only to offices connected with shops.

VI - 1 MINIMUM RATES FOR EXPERIENCED WORKERS UNDER MINIMUM WAGE ACTS*

The table shows the minimum for full-time experienced workers. In Nova Scotia and British Columbia, there are two Minimum Wage Acts, one applying to men and the other to women workers, but in Nova Scotia the Male Minimum Wage Act, 1945, has not been proclaimed. In Prince Edward Island, a Women's Minimum Wage Act was passed in 1959. In the other provinces, the Act applies to both men and women. In Ontario, minimum rates have been fixed for women only. In New Brunswick, only one order is in effect for men - that covering the canning industry. No minimum rates have yet been established in Prince Edward Island.

Notes relating to table:

a Workers over 17 years.

b Zone I - Halifax, Sydney, Glace Bay, Amherst, Dartmouth, New Glasgow, North Sydney, Sydney Mines, Truro; Zone II - Annapolis Royal, Antigonish, Berwick, Bridgetown, Bridgewater, Canso, Clark's Harbour, Dominion, Digby, Hantsport, Inverness, Kentville, Liverpool, Louisburg, Lunenburg, Mahone Bay, Middleton, Mulgrave, Oxford, Parrsboro, Pictou, Port Hawkesbury, Shelburne, Springhill, Stellarton, Stewiacke, Trenton, Westville, Windsor, Wolfville, Yarmouth; Zone III - remainder of province.

c Minimum rate of 45¢ per hour in fish-processing industry anywhere in province.

d Zone I - City and Island of Montreal; Zone II - Quebec and district and places over 6,000 population; Zone III - remainder of province.

e Zone I - Toronto, Hamilton, Windsor, Ottawa and environs and London; Zone II - places of 3,000 or over; Zone III - places under 3,000.

f Workers of 18 and over. Employees under 18, 48¢ per hour.

g Workers of 18 and over. Minimum \$2 less (\$28 and \$27) for workers under 18. Fifteen towns: Assiniboia, Biggar, Canora, Humboldt, Kamsack, Kindersley, Lloydminster, Maple Creek, Meadow Lake, Melfort, Melville, Nipawin, Rosetown, Shaunavon, Tisdale.

h Applies to canning or processing of fish, vegetables or fruit.

i Those over 19 years. For males under 19, in centres over 5,000 population: under 17 years, \$20; 17-18 years, \$22; 18-19 years, \$26. Elsewhere in province: under 17, \$16; 17-18, \$18; 18-19, \$22.

j Rate applicable to city or town applies to hotels and restaurants within 20 miles June 1 - September 30.

* As indicated in the table, weekly rates are set in some provinces, hourly rates in others.

Establishment	Sex	Mfld.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
	F	cents per hour 35 ^a	\$ per week 21-60, Zone I 19-20, Zone II 14-40, Zone III ^{b,c}	cents per hour 50	cents per hour 68, Zone I 64, Zone II 60, Zone III ^d	\$ per week 22, Zone I 20, Zone II 18, Zone III ^e	cents per hour 58 cities, 54, rural ^f	\$ per week 30, cities and 15 larger towns and a 5-mile radius; 29, rest of provinces ^g	\$ per week 28, centres over 5,000 population; 24, rest of province	cents per hour 60
FACTORIES	M	50 ^a	—	65 ^h	As above	—	60 ^f	As above	30, centres over 5,000 population; 26, rest of province ⁱ	75
	F	35 ^a	As in factories	50	As in factories	As in factories	As in factories	As in factories	As in factories	65
SHOPS	M	50 ^a	—	—	As in factories	—	As in factories	As in factories	As in factories	65
	F	35 ^a	As in factories	50	As in factories	As in factories	As in factories	As in factories	As in factories	75
OFFICES	M	50 ^a	—	—	As in factories	—	As in factories	As in factories	As in factories	75
	F	35 ^a	As in factories ^j	45	64, Zone I 60, Zone II 56, Zone III ^d	As in factories	As in factories	As in factories	As in factories	65
HOTELS RESTAURANTS	M	50 ^a	—	—	As above	—	As in factories	As in factories	As in factories	65
	F	35 ^a	As in factories ^j	45	64, Zone I 60, Zone II 56, Zone III ^d	As in factories	As in factories	As in factories	As in factories	65

VI - 2 MINIMUM RATES AND LEARNING PERIODS FOR INEXPERIENCED WORKERS*

NOTE: The Newfoundland, New Brunswick and Saskatchewan Orders make no provision for lower rates for learners.

Establishment	Sex	N.S.	Que.	Ont.	Man.	Alta.	B.C.
FACTORIES	F	\$ per week Probationary period of 90 days: 18, Zones I and II	cents per hour 56, Zone I 52, Zone II 48, Zone IIIa	\$ per week 2 three-month periods: 19, 20, Zone I 17, 18, Zone II 15, 16, Zone IIIa	Rates and learning period to be set out in permit granted by Minister. Learning period may not exceed 6 months and starting rate must be at least 75% of minimum rate ^a .	\$ per week 3 one-month periods: 22, 24, 26, centres over 5,000 popula- tion; 18, 20, 22, rest of province ^a	cents per hour 3 two-week periods: 45, 50, 55
	M	—	As above	—	As above	—	As above
SHOPS	F	As in factories	As in factories	As in factories	As in factories	As in factories	As in factories
	M	—	As in factories	—	As in factories	—	As in factories
OFFICES	F	As in factories	As in factories	As in factories	As in factories	As in factories	2 one-month periods: 55, 65
	M	—	As in factories	—	As in factories	—	As above
HOTELS RESTAURANTS	F	As in factories	—	As in factories	As in factories	As in factories	—
	M	—	—	—	As in factories	—	—

*As indicated in the table, weekly rates are set in some provinces, hourly rates in others.

(a) In Alberta, not more than 25% of the total number of women workers in an establishment, and in Ontario not more than 20%, may be classed as inexperienced. In Manitoba, the Minister of Labour may fix, at not more than 25%, the percentage of women workers that an employer may employ as learners. In Quebec, the number of inexperienced employees of both sexes is limited to 20% of the total number of employees in the establishment.

VI - 3 OVERTIME RATES UNDER MINIMUM WAGE ORDERS

Establishment	Sex	Nfld.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
FACTORIES SHOPS OFFICES HOTELS RESTAURANTS	F	For hourly-paid workers, 1½ times the minimum rate after 8 hours and for work on Sunday; for workers paid a fixed weekly or monthly wage, 1½ times the minimum rate after 48 hours.	1½ times the minimum rate after 48 hours, if less.	Factories, shops and offices, 75 cents per hour, and hotels and restaurants, 68 cents per hour, after 48 hours.	For hourly-paid workers not governed by an agreement, 1½ times the regular rate after the hours in the "regular work week"; for other employees, 1½ times the minimum rate. (a) (b)	Pro rata after normal week.	1½ times the minimum rate after 8 and 44 hours.	1½ times the regular rate after 8 and 44 hours; but in hotels and restaurants in centres other than cities after 48 hours; in shops and offices in centres with under 500 people after 48 hours. (d)	1½ times the regular rate after 9 and 48 hours (after 44 hours in four largest cities).	1½ times the regular rate after 8 and 44 hours or after hours permitted by Board.
	M	As above	—	—	As above	—	1½ times the minimum rate after 48 hours.	As above	As above	As above

(a) Regular work week for factories, shops, and offices may be 48 or 54 hours; for hotels and restaurants it is 60 hours.

(b) Workers paid on a yearly, monthly, or weekly basis at least \$55 a week in Zone 1, and \$50 in Zones II and III, whether or not they work a full week, are not entitled to payment for overtime.

(c) Overtime payable after 9 and 44 in case of 5-day week.

(d) Provision for overtime is contained in Hours of Work Act and orders.

VII EQUAL PAY

Seven provinces, Alberta, British Columbia, Manitoba, Nova Scotia, Ontario, Prince Edward Island and Saskatchewan, have equal pay laws. The Alberta legislation, enacted in 1957, forms Part VI of the Alberta Labour Act.

The British Columbia, Nova Scotia, Ontario and Prince Edward Island Acts prohibit an employer from paying a female employee at a rate of pay less than the rate paid to a male employee for *the same work done in the same establishment*. The Saskatchewan Act contains a similar prohibition but refers to *work of comparable character done in the same establishment*. The Manitoba and Alberta statutes are alike in referring to *identical or substantially identical work* but the Manitoba Act differs from the other Acts in that it forbids discrimination against either sex in the payment of wage rates. Under the Manitoba Act an employer is forbidden to pay to the employees of one sex wages on a scale different from that on which wages are paid to employees of the other sex in the same establishment, *if the work required of, and done by, employees of each sex is identical or substantially identical*. The Alberta Act forbids an employer to employ a female employee for any work at a lesser rate of pay than the rate at which he employs a male employee for *identical or substantially identical work*. Differences in rates of pay based on a factor other than sex do not constitute failure to comply with the requirements of the Acts. In all the Acts except that of Alberta, "establishment" is defined as a place of business or the place where an undertaking or part of an undertaking is carried on. The Manitoba and Saskatchewan Acts were made applicable to provincial government employees.

Under all the Acts, enforcement begins with the filing of a written complaint with a director, an officer of the Department of Labour charged with the duty of receiving and dealing with complaints (in Alberta, with the Chairman of the Board of Industrial Relations and in Prince Edward Island, with the Labour Relations Board).

In all provinces except Prince Edward Island the legislation provides for an informal inquiry into a complaint by an officer of the Department of Labour (in Manitoba and Nova Scotia, by an officer of the Department of Labour or any other person). If the officer is unable to effect a settlement of the matter complained of, a board or commission of one or more persons may be appointed to ascertain the facts and to make recommendations in Nova Scotia, Ontario and Saskatchewan. In Alberta and British Columbia, the matter may be referred to an existing board, the Board of Industrial Relations. Under the Manitoba Act, the second stage of the procedure is the appointment of a referee, who may or may not be an officer of the Department of Labour, to make an inquiry with a view to the settlement of the complaint and to recommend to the Minister the course that ought to be taken. All these Acts provide that the parties to the complaint must be given full opportunity to present evidence and to make representations. The recommendations of the board, commission or referee, as the case may be, may be put into effect by an order of the Minister of Labour (in Alberta, an order of the Board of Industrial Relations). Compliance with the order is required.

The Prince Edward Island Act authorizes the Labour Relations Board to "inquire into the complaint and endeavour to effect a settlement of the matters complained of". There is no provision in the Act for a Board order, with which compliance is required.

In Manitoba, an information may be laid against an employer who fails to comply with an order of the Minister and the magistrate may order the employer to pay any wages found to be due to the employee. In Alberta, an employer convicted of an offence under the equal pay provisions of the Act is made liable for the payment of whatever additional remuneration the employee would have received if the employer had complied with the Act, subject, however, to a limitation of six months' wages.

In Manitoba, the failure of an employee to lodge a complaint with the Minister within 30 days after receiving his or her first wages at an unlawful scale bars the employee from making a complaint and having it dealt with under the Act.

VIII WORKMEN'S COMPENSATION

All provinces have a workmen's compensation law of the "collective liability" type.

In each province a Workmen's Compensation Act applicable to most industries and occupations provides for the payment of compensation to a workman or his dependants in case of accident or industrial disease arising out of and in the course of employment. The only exceptions are (1) where the workman is disabled for less than a stated number of days, or (2) where the injury is attributable solely to his serious and wilful misconduct and does not result in death or serious disablement.

Compensation is payable by employers collectively. Compensation, medical expenses and other benefits are paid from a provincial Accident Fund built up by annual assessments, in the form of a percentage of payroll, levied on employers covered by the Act. For assessment and compensation purposes, industries are classified according to their hazard and each class is liable for the cost of accidents occurring in that class. No contributions from employees are permitted.

The compensation to which a workman is entitled under the Act takes the place of his right of action, and he may not sue his employer in court for damages for an injury sustained in the course of employment.

Benefits under the Acts include periodic payments to the workman during the period of temporary disablement (in all provinces on the basis of 75 per cent of average earnings, subject to the maximum annual earnings provided in the Act); an award for permanent disability (based on 75 per cent of average earnings) in the form of a monthly pension for life or, when disablement is slight, paid in a lump sum; all necessary medical aid, including hospitalization; and rehabilitation. In case of death by accident, fixed monthly payments are made to dependants. In addition to a monthly pension, a widow receives a lump sum payment and an allowance for funeral expenses.

The benefits payable under the Acts are set out on the following pages.

NOTE: For further information about workmen's compensation laws, see the annual bulletin *WORKMEN'S COMPENSATION IN CANADA* published by the Department of Labour of Canada and available from the Queen's Printer, Ottawa. Price 25 cents.

1. Monthly Benefits to Dependents in Case of Death of Workman

Funeral	Widow or Invalid Widower	Children With Parent	Orphans	Where only dependants are other than consort and child	Maximum
\$200 ⁴	\$60 plus sum of \$100	Under 16, \$20 each ¹	Under 16, \$30 each ¹	NEWFOUNDLAND Sum reasonable and in proportion to pecuniary loss ²	75% of earnings. Minimum \$60 to consort, \$20 to each child or \$30 to orphan child unless total benefits exceed \$130 ³
\$200	\$50 plus sum of \$200	Under 16, \$20 each. ¹ Maximum to consort and children, \$170	PRINCE EDWARD ISLAND Under 16, \$30 each. ¹ Maximum \$120	As in Newfoundland. Maximum to parent or parents, \$40. Maximum in all, \$60 ²	75% of earnings but Board may waive the 75% restriction where circumstances require it. ³
\$250	\$60 plus sum of \$150	Under 16, \$22.50 each. ¹ Maximum to consort and children, \$172.50	NOVA SCOTIA Under 16, \$30 each. ¹ Maximum \$150	As in Newfoundland. Maximum \$45 each. Maximum in all, \$60 ²	
\$300 ⁴	\$50 plus sum of \$100	Under 18, if attending school, \$20 each ¹	NEW BRUNSWICK Under 18, if attending school, \$40 each ¹	As in Newfoundland ²	75% of \$4,000 per year ³
\$200 ⁴	\$55 plus sum of \$200	Under 18, \$20 each ¹	Under 18, \$30 each ¹	QUEBEC As in Newfoundland ²	75% of earnings. Minimum \$75 to consort and one child; \$95 if more ³
\$300 ⁴	\$75 plus sum of \$300	Under 16, \$25 each ¹	Under 16, \$35 each ¹	ONTARIO As in Newfoundland. Maximum \$100 ²	Average earnings. Minimum \$75 to consort, \$25 to each child or \$35 to orphan child unless total benefits exceed \$150 ³
\$200 ⁴	\$75 plus sum of \$300	Under 16, \$35 each ¹	Under 16, \$45 each ¹	MANITOBA As in Newfoundland. Maximum \$30 each. Maximum in all, \$60 ²	75% of earnings. Minimum \$75 to consort; \$110 to consort and one child; \$145 if more ³

\$250 ⁴	\$75 plus sum of \$300	Under 16, \$35 each ¹	Under 16, \$45 each, plus a sum not exceeding \$50 at the discretion of the Board. ¹	SASKATCHEWAN As in Newfoundland ²	Average earnings. Minimum \$75 to consort; \$100 to consort and one child; \$125 to consort and two children and \$15 for each additional child ³
\$200 ⁴	\$60 plus sum of \$150	Under 16, \$30 each ¹	Under 16, \$30 each. Additional amount not exceeding \$10 may be paid to any child under 18 ¹	ALBERTA As in Newfoundland. Maximum to parent or parents, \$50. Maximum in all, \$85	
\$250 ⁴	\$90 plus sum of \$250	Under 16, \$35 each ¹ ; if attending school, \$35 between 16 and 18 years	Under 18, \$40 each ¹ ; (a) As in Newfoundland. Maximum \$90 to parent or parents. \$37.50 if able to attend school between 16 and 18 years and not attending	BRITISH COLUMBIA (a) As in Newfoundland. Maximum \$90 to parent or parents. (b) If there is widow or invalid widower or orphans, maximum to parent or parents, \$90 ²	

¹ In Alberta, Manitoba, Newfoundland, Nova Scotia, Ontario and Prince Edward Island, payments to children may be made up to 18 years, and in Saskatchewan up to 19 years, if desirable to continue education. In Alberta, Newfoundland and Prince Edward Island, payments to invalid children are continued so long as Board considers workman would have contributed to support. In British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan, payments are continued until recovery.

² Compensation in these cases is continued only so long as Board considers workman would have contributed to support.

³ For maximum earnings that may be reckoned, see Table 2, Column 5.

⁴ For transporting body for burial, a maximum of \$150 in Quebec, of \$125 in Newfoundland and New Brunswick and of \$100 in Alberta and British Columbia may be paid. No maximum is specified in Ontario and Saskatchewan. In Manitoba, the Board may pay transportation expenses within the province and part of expenses if the body is moved into or from the province. In Alberta and British Columbia, only transportation expenses within the province are allowed. In Manitoba and Saskatchewan, compensation may include payment for burial plot, not exceeding \$50.

2. Benefits in Case of Disability

PERMANENT		TEMPORARY		Maximum Earnings Reckoned
Total	Partial	Total	Partial	
75% of earnings. Minimum \$65 per month or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	NEWFOUNDLAND 75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident, for duration of disability ^{1,2}	\$3,000 per an.
75% of earnings. Minimum \$15 per wk. or earnings, if less ³	PRINCE EDWARD ISLAND 75% of difference in earnings before and after accident or compensation may be based on impaired earning capacity estimated from the nature of the injury ^{1,2,3}	75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less ³	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ^{1,2,3}	\$3,000 per an.
75% of earnings. Minimum \$100 per month	NOVA SCOTIA 75% of difference in earnings before and after accident or compensation may be based on impaired earning capacity estimated from the nature of the injury. If disability 25% or more, average earnings must be taken as not less than \$18.75 per wk. ¹	75% of earnings for duration of disability. Minimum \$20 per wk. or earnings, if less	75% of difference in earnings before and after accident for duration of disability ^{1,2}	\$3,600 per an.
Average earnings but not in excess of 75% of \$4,000	NEW BRUNSWICK Amount determined by Board, based on impaired earning capacity ¹	75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	If earning capacity diminished by more than 10%, 75% of diminution of earning capacity for duration of disability	\$4,000 per an.
75% of earnings. Minimum \$15 per wk. or earnings, if less	QUEBEC 75% of difference in earnings before and after accident or, where possible, compensation may be based on impaired earning capacity estimated from the nature of the injury ^{1,2}	75% of earnings for duration of disability. Minimum \$15 per wk. or earnings if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ^{1,2}	\$4,000 per an.

75% of earnings. Minimum \$100 per month or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	ONTARIO 75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	75% of difference in earnings before and after accident for duration of disability ^{1,2}	\$5,000 per an.
75% of earnings. Minimum \$25 per wk. or earnings, if less	75% of difference in earnings before and after accident or, where deemed just, compensation may be based on impaired earning capacity estimated from the nature of the injury ¹	MANITOBA 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ¹	\$4,500 per an.
75% of earnings. Minimum \$30 per wk.	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	SASKATCHEWAN 75% of earnings for duration of disability. Minimum \$30 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident, for duration of disability ^{1,2}	\$5,000 per an.
75% of earnings. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury ¹	ALBERTA 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury for duration of disability	\$4,000 per an.
75% of earnings. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	BRITISH COLUMBIA 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident for duration of disability ^{1,2}	\$5,000 per an.

¹ If earning capacity is diminished 10% or less (5% or less in Alberta), a lump sum may be given.

² The minimum payable in case of partial disability is the same proportion of the minimum for total disability (see preceding column) as impairment is of full earning capacity.

³ Board may fix compensation on basis of \$15 per week, even though average earnings are less than that amount.

⁴ Where compensation to workman with dependants would be less than \$1,200 a year, Board may increase compensation in respect of dependants by specified monthly amounts. In such cases, total amount payable may not exceed \$1,200 a year.

IX FAIR EMPLOYMENT PRACTICES

Fair employment practices Acts prohibiting discrimination in hiring and conditions of employment and in trade union membership on grounds of race, colour, religion or national origin are in effect in British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario and Saskatchewan.

In general terms, all the Acts forbid discrimination on grounds of race, colour, religion or national origin. "National origin" in the Manitoba Act, however, is defined to include ancestry, and, in the New Brunswick Act, nationality and ancestry. Instead of "national origin" the British Columbia and Ontario Acts use the wording "nationality, ancestry or place of origin". The Saskatchewan Act specifies "ethnic or national origin" and includes "religious creed" as well as "religion". On any of these grounds an employer may not refuse to employ or discharge any person or discriminate against any person in regard to employment or any term or condition of employment. A trade union is forbidden to exclude any person from membership, to expel or suspend any of its members, or to otherwise discriminate against a member or other person.

All the Acts prohibit the publication of advertisements, the use of application forms, and, except in Manitoba, the making of inquiries, either written or oral, in connection with employment which express any limitation, specification or preference as to race, colour, religion or national origin. The Saskatchewan provisions, as amended in 1959, prohibit any expression of discrimination or of intent to discriminate, and the inclusion in an application form, advertisement or inquiry of any question or request for particulars as to an applicant's race, colour, religion or national origin. The British Columbia, Manitoba, New Brunswick and Saskatchewan Acts allow an exception, however, where a limitation, specification or preference as to race, colour, religion or national origin is based upon a **bona fide** occupational qualification.

The prohibitions noted above are applicable to employment agencies as well as to employers, and the Manitoba, Nova Scotia and Saskatchewan Acts forbid an employer to use an employment agency which practises discrimination against persons seeking employment. In Manitoba, New Brunswick, Nova Scotia and Saskatchewan, employers and trade unions may not discharge, expel or otherwise discriminate against any person for making a complaint under the Act.

The Nova Scotia and Saskatchewan Acts apply to all employers regardless of the number of their employees. Under the other Acts, employers with fewer than five employees are excluded. Except in Nova Scotia, an exemption is provided for domestic servants employed in private homes. Under all the Acts, non-profit charitable, philanthropic, fraternal, religious or social organizations are excluded. The British Columbia Act is expressly stated to apply to schools operating under the Public Schools Act and in Saskatchewan, while educational institutions are covered, the right of a school or board of trustees to hire persons of a particular religion where religious instruction forms or can form part of the instruction provided is recognized. With these exceptions, educational institutions are excluded. The Manitoba, New Brunswick and Saskatchewan Acts are applicable to provincial government employees.

The provisions for enforcement of the fair employment practices Acts are similar to those contained in the equal pay Acts. Action in all cases is initiated by the filing of a written complaint. The Acts provide first for an informal investigation and, as a second step, for the appointment of a commission of one or more persons to deal with a complaint which is not settled at the earlier stage. In British Columbia, the Board of Industrial Relations acts as a commission of inquiry. Upon receipt of the board's or commission's recommendations, which may include reinstatement, with or without compensation for loss of employment, the Minister may issue an order to put them into effect. Under the Manitoba Act, a person affected by an order of the Minister has the right to appeal to a judge; under the other Acts, the Minister's order is final and must be complied with. Prosecution under the Acts, for which the consent of the Minister is required, may result in a fine.

Educational anti-discrimination programs may be carried on in Manitoba, Nova Scotia and Saskatchewan under the authority given to the Minister to undertake inquiries and other measures to promote the purposes of the Act. In Ontario, a three-member Anti-Discrimination Commission was set up in 1959 to carry on a program of education to promote the elimination of discriminatory practices.

X WEEKLY REST-DAY

Eight provinces — Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan — provide for a weekly rest-day but the provisions vary in scope.

The Alberta Labour Act requires all employed persons except farm workers and domestic servants to be given a day of rest immediately following each period of not more than six consecutive days of work, unless the Board of Industrial Relations orders that the hours of rest be allowed in two periods or that a longer period than 24 hours be granted. The Act enables the Board to make special provision for days of rest in continuous industries and permits a consecutive rest period every four weeks or in relation to some other work period which the Board may deem proper. Under this authority the Board has made special provision for accumulated days of rest in the highway construction, geophysical exploration, oil well drilling, oil well service and pipeline construction industries and for cooks, night watchmen, etc., in lumber camps.

Orders under the British Columbia Minimum Wage Acts provide for a rest-period of 32 hours weekly for workers in factories, shops, offices, hotels and catering, laundries, hospitals, the woodworking industry, for elevator operators, for men in undertaking establishments, for janitors other than resident janitors in apartment buildings and for bicycle-riders and foot-messengers employed exclusively on delivery. Different arrangements may be made on application of the employer and employees concerned, if the Board approves. Orders governing resident janitors in apartment buildings containing twenty residential suites and over, patrolmen, and employees in resort hotels in unorganized territory during the summer season provide for a weekly rest of 24 hours.

In Manitoba, the weekly-rest legislation applies to the chief industrial areas of the province, including Winnipeg and environs, St. Boniface, Brandon, Portage la Prairie, Transcona, Flin Flon, Selkirk, Snow Lake and Lynn Lake. A weekly day of rest, if possible Sunday, must be granted to employees in mining, manufacturing, shops, offices, catering, barbering and hairdressing,

the insurance business, the baking industry, the transport of goods by road, the processing and distribution of milk and its products and to elevator operators and hotel clerks. Exempted are watchmen, janitors and firemen living in the building in which they are employed; persons not usually employed more than five hours in a day; managers and supervisory employees; repair workers in emergencies; and persons employed for not more than three hours on a weekly rest-day merely for the purpose of looking after horses as part of their usual duty. The Minister of Labour is given discretion to exempt particular undertakings for a period of not more than a year.

The New Brunswick Weekly Rest Period Act requires employers to give their employees a weekly rest of at least 24 consecutive hours, to be taken if possible on Sunday. Where a weekly rest is impracticable, the Minister of Labour may permit rest periods to accumulate and to be taken later, either part at a time or all together. The only employees not covered are farm workers, employees required to cope with an emergency and part-time workers who are not usually employed more than five hours in a day. Certain groups of employees and certain employers may be designated by the Lieutenant-Governor in Council as being outside the scope of the Act.

In Nova Scotia, every employer in mining, manufacturing and construction is required to grant his employees a weekly rest of at least 24 hours. Wherever possible, the period of rest must be on Sunday and must be granted simultaneously to the whole of the staff of each undertaking.

In Ontario, in cities of 10,000 or more people, workers in hotels and restaurants must be allowed a weekly rest-day, Sunday if possible. Watchmen, janitors, foremen, and those employed for five hours or less in a day are exempted.

In Quebec, Minimum Wage Order 4, applying generally to all industries within the scope of the Act not covered by special orders, provides for a weekly rest of 24 hours or two periods of 18 consecutive hours each for the employees covered by its provisions. Farm workers, domestic servants and employees covered by decrees under the Collective Agreement Act are the only workers not within the scope of the Minimum Wage Act. The three special minimum wage orders contain the same provision as Order 4, excluding only a few classes of workers in forest operations, caretakers provided with free lodgings in hotels, restaurants and hospitals, and employees of real estate undertakings. Under the Quebec Weekly Day of Rest Act, persons employed in hotels, restaurants or clubs in places of at least 3,000 population must have 24 consecutive hours' rest in a week. In the Quebec district, the inspector may permit two periods of 18 consecutive hours each instead of one 24-hour period. Where there is only one cook, the 24-hour rest may be replaced by two 12-hour periods.

The Saskatchewan statute provides for a weekly rest of at least 24 hours, wherever possible on Sunday, for the employees of any employer covered by an order of the Minimum Wage Board. (Only agriculture, domestic service and a few other occupations are not covered by minimum wage orders.) Exempted are managers, employees not usually working for more than five hours in a day, and repair men in emergencies. The Minister of Labour may exempt particular employers for not more than one year. Industries may be excluded by Order in Council.

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PROVINCIAL LABOUR STANDARDS

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DECEMBER, 1960
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DEPARTMENT OF LABOUR OF CANADA
LEGISLATION BRANCH

HON. MICHAEL STARR
MINISTER

A. H. BROWN
DEPUTY MINISTER

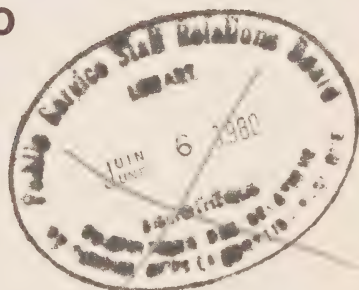
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PROVINCIAL LABOUR STANDARDS

CONCERNING CHILD LABOUR, HOLIDAYS, HOURS OF WORK,
MINIMUM WAGES, EQUAL PAY FOR EQUAL WORK,
WORKMEN'S COMPENSATION,
FAIR EMPLOYMENT PRACTICES AND WEEKLY REST-DAY

DECEMBER, 1960



DEPARTMENT OF LABOUR OF CANADA

LEGISLATION BRANCH

HON. MICHAEL STARR
MINISTER

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DEPUTY MINISTER

ROGER DUHAMEL, F.R.S.C.
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FOREWORD

This bulletin, which has been issued annually since 1944 (1957 excepted), sets out the standards which are in effect in the provinces of Canada with respect to child labour, holidays, hours of work, minimum wages, equal pay for equal work, fair employment practices, weekly rest-day and workmen's compensation. Changes in provincial laws and regulations in 1960 are summarized below.

An amendment to the *Manitoba Vacations with Pay Act* provided that the new system of payment of vacation pay, for which provision was made in 1959, would go into effect on July 1, 1960, the beginning of a new vacation year. Under this system, which replaces vacation stamps, employers of construction workers in the Greater Winnipeg area are required periodically to remit vacation pay earned by their employees to the Department of Labour for deposit with the Provincial Treasurer in a special Trust Fund, from which disbursements will be made to each employee by cheque after June 30 in each year.

In *Saskatchewan*, amendments were made to the Annual Holidays Act and regulations, in line with the change made in the Act in 1959, under which an employee is entitled to a three weeks' vacation with pay after five accumulated years of employment, if no break in his service has exceeded 182 days. As amended in 1960, the Act now stipulates that, for purposes of determining entitlement to a three weeks' vacation, a period of employment of two days or less cannot be counted.

Under new regulations, an employer is authorized to withhold payment of vacation pay on termination of employment at the request of an employee, if his services are terminated because of shortage of work and it seems likely that he will be re-hired within 182 days. Should the employee ask for his vacation pay during the 182-day period, the employer must comply with his request within seven days.

An amendment to the *Saskatchewan Minimum Wage Act* permits an employer and a trade union representing a majority of his employees by agreement to substitute another working day for any of the eight public holidays for which payment is required under the Act.

In *Newfoundland*, an amendment to the Exploits Valley (Closing Hours) Shop Act limits hours of persons employed in shops in the Exploits Valley district to 40 per week unless they are paid at an overtime rate fixed by agreement, which may not be less than time and one-half the regular rate.

In *Prince Edward Island*, an Act Respecting a Minimum Wage for Men was enacted. As with the Women's Minimum Wage Act passed in 1959, provision was made for the setting of minimum rates by the Labour Relations Board. No rates have yet been established under either Act.

During the year important changes were made in minimum wage orders in five provinces.

In *New Brunswick*, minimum rates for women workers were increased by 10 cents an hour, effective from July 1, 1960. The minimum rates are now 55 cents an hour for hotels and restaurants and 60 cents an hour for other workplaces. Overtime rates, based on time and one-half the minimum rate and payable after a 48-hour week or less, were increased correspondingly.

Quebec minimum wage orders were revised, effective from May 1, to put into effect several significant changes, including a division of the province, for minimum wage-fixing purposes, into two zones instead of three. Zone I now comprises the Montreal region, and Zone II the rest of the province. Formerly, Zone II included Quebec City and district and places with over 6,000 population, with Zone III covering the remainder of the province.

The minimum wage under General Order 4 is now 70 cents an hour in Zone I and 64 cents in Zone II. For workers in hotels, restaurants, hospitals and real estate undertakings, minimum rates are 64 cents an hour in Zone I and 60 cents in Zone II.

A further change was in regard to the rate of overtime pay set by the orders for hours worked in excess of the regular work week, now time and one-half the *minimum* rate. Previously, for hourly-paid workers not governed by a collective agreement the orders set an overtime rate of time and one-half the *regular* rate, and, for other employees, time and one-half the *minimum* rate. As before, workers paid a weekly, monthly or yearly salary and receiving at least a specified minimum amount are not eligible for overtime pay.

Inexperienced workers' rates were abolished except for pieceworkers in their first six months of employment, who must now be paid at least 56 cents an hour in Zone I and 52 cents in Zone II.

In the *Ontario* revision, effective from July 1, an increase of \$8 a week was put into effect, making the minimum rate for women \$30 a week in Zone I (the five largest cities), \$28 in Zone II (3,000 population and over), and \$26 in Zone III (under 3,000 population). Learners' rates were also increased.

Revised regulations were issued in *Manitoba*, in force from June 21, establishing the same minimum rate for men and women. In place of a minimum rate of 60 cents an hour for men and of 58 and 54 cents an hour for women (58 cents, urban; 54 cents, rural), the new orders set a minimum of 66 cents in urban areas and 61 cents in rural areas for both sexes. The minimum for employees under 18 remains 48 cents an hour.

In *Saskatchewan*, minimum rates were increased and the differential between urban and rural rates removed. From April 4, one minimum of \$32 a week was established for all employees of 18 and over in the province, except those covered by special orders. Previously, the minimum was \$30 a week in the cities and 15 larger towns, and \$29 elsewhere in the province. As before, a rate \$2 less than the full minimum was set for workers under 18.

Under Workmen's Compensation Acts, the maximum annual earnings on which compensation may be paid were increased from \$4,000 to \$5,000 in *Quebec*, and from \$5,000 to \$6,000 in *Saskatchewan*. The ceiling on annual earnings in the various Acts now ranges from \$3,000 to \$6,000.

In *Nova Scotia*, a new minimum award for a permanently and totally disabled workman with dependent children equivalent to the amount payable to a widow with the same number of children under 16 was adopted. For a permanently and totally disabled workman who does not come within this category, (i.e., who does not have at least two children under 16) the minimum compensation award is, as before, \$100 a month. In *Prince Edward Island*, the minimum payment for temporary total or permanent total disability was raised from \$15 to \$20 per week.

Allowances for funeral expenses were increased from \$200 to \$300 in *Prince Edward Island* and from \$200 to \$400 in *Quebec*. In *Nova Scotia* and *Prince Edward Island*, an allowance not exceeding \$100 was authorized for transporting a workman's body for burial.

Widows' pensions were raised from \$55 to \$75 a month in *Quebec*, from \$50 to \$60 in *New Brunswick*, and from \$75 to \$100 in *Saskatchewan*. In *Saskatchewan*, however, the increased pension is payable only to the age of 70, when the recipient becomes eligible for old age security payments. After the age of 70 the pension reverts to \$75 a month. In all three provinces increases were made applicable to existing pensioners. In *Quebec*, the lump sum payment to a widow was increased from \$200 to \$300.

Children's allowances were increased by \$5 a month in *Quebec*, making the allowance \$25 for a dependent child under 18 and \$35 for an orphan; in *Saskatchewan*, the pension for an orphan was raised from \$45 to \$50 a month. In *Nova Scotia*, the limit of five on the number of children in a family eligible for benefits was removed. The amendments in all three provinces were made applicable to all children receiving compensation, regardless of the date of the accident.

In *Ontario*, the pensions of widows and dependent children who were being paid according to a lower scale of benefits were raised to the current level of \$75 a month for a widow, \$25 for a dependent child and \$35 for an orphan child. All dependants under the Ontario Act are now paid at the same scale of benefits.

A new and separate allowance, not exceeding \$75 a month, to a wholly dependent mother of a deceased workman was introduced in *Manitoba*.

I STATUTORY SCHOOL-LEAVING AGES IN CANADA

In all the provinces there is a compulsory school attendance law, but exemptions are permitted in case of illness, distance from school or lack of accommodation and, except in British Columbia, for home duties and for employment. Provisions as to exemption are shown below. The laws place restrictions on employment of children of school age during school hours.

Nfld.*	P.E.I.	N.S.*	N.B.	Que.*	Ont.*	Man.*	Sask.	Alta.*	B.C.
15 Exemption: With certificate for a stated period, but if child is under 12 for not more than 2 months in a school year, unless with approval of Minister (a).	16 unless has completed courses in public school. Attendance required for only 75% of term except in Charlottetown and towns where 90% attendance is required. Exemption: (1) For pov- erty; (2) If 12, for not more than 6 weeks in year (b).	16, cities and towns, 14 elsewhere but 15 or 16 may be fixed local- ly. Exemption: (1) If 12, for not more than 6 weeks in year (c); (2) If 13, with employment certificate. Medical certificate may be required.	16 unless has passed grade 11. 14 by resolution in rural dis- tricts unless has passed grade 8. Exemption: Not more than 6 weeks in year (d).	14 unless has completed elementary school. Exemption: Not more than 6 weeks in year (d).	16 unless has com- pleted second- ary school or equivalent. Exemption: Under 14, for not more than 6 weeks in term (d); 14-16, if home permit or employment certificate granted. Home permit unneces- sary in rural districts.	16 may be fixed by district. 14 otherwise, but 16 if not employed in industry, home duties or farm work. Exemption: Over 12, not more than 4 weeks in year (e).	15 unless has passed grade 8. Exemption: (a).	15 unless has passed grade 9 or equivalent. Exemption: Not more than 6 weeks in term (d).	15 unless has completed course at nearest pub- lic school and trans- port to higher school not provided.

(a) If services needed for maintenance of self or others.

(b) If services needed in husbandry or other necessary employment.

(c) If services needed in farming, home duties or other necessary employment.

(d) If services needed in farming, home duties, maintenance of self or others.

(e) If services needed in husbandry or home duties.

* Child reaching school-leaving age required to attend school to end of school year in Newfoundland, Nova Scotia, Ontario and Quebec, to end of term in Manitoba, and in Alberta, to end of June term if age reached in that term.

II MINIMUM AGE FOR EMPLOYMENT

The table given below shows the minimum age for certain classes of establishments. In addition, the Canada Shipping Act fixes a minimum age of 15 for employment at sea. No minimum age has been established for employment in agriculture in Canada.

International Labour Conventions have established 14 as the minimum age in agriculture, 15 for employment at sea, in industrial undertakings and, with some exceptions, in non-industrial undertakings.

	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
MINES	18, below	—	Coal: 18, below Metal: 16, above 18, below	Coal: — above 16, below Metal: 16, above 18, below	— above 15, below	16, above 18, below	16, above 18, below	Coal: 16 Metal: 16, above 18, below	17, above 17, below	Coal: 16, above 17, below Metal: 15, above 18, below
FACTORIES	—	15	14 (a)	16 except with permit	14 (b) (c) (d)	14 (a)	15	16	15	15 except with permit
SHOPS	—	—	—	16 except with permit	14 (b) (c)	14 (a)	15 except with permit	—	15 (e)	15 except with permit
HOTELS RESTAURANTS	—	—	14	16 except with permit	—	14 (a) (restaurants only)	15 except with permit	16	15	15 except with permit

(a) 16 from 8 a.m. to 5 p.m. except with employment certificate or except on school holidays.

(b) The Government may exempt establishments from the Act.

(c) 16 unless able to read and write fluently or attending night school. Permit from Provincial Employment Service required for employment between 14 and 16 years.

(d) For certain dangerous trades, the minimum age is 18 for boys; for others, it is 16 for boys and 18 for girls.

(e) Minimum age of 12 years in certain occupations, including work as clerk, delivery boy or delivery girl in retail store, with written consent of parent and subject to restrictions on hours (2 hours on a school day, 8 hours on any other day), if not injurious to life, limbs, health, education or morals.

III ANNUAL VACATIONS WITH PAY

Annual vacations with pay are provided for by law in Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan. Provision for annual vacations with pay is made in Alberta in the Alberta Labour Act and in orders under it; in Ontario in the Hours of Work and Vacations with Pay Act and regulations; and in Quebec in Order 3 under the Minimum Wage Act and in most decrees* under the Collective Agreement Act. In the other provinces annual vacations with pay are provided for in separate statutes.

The New Brunswick Vacation Pay Act applies only to mining, construction, and the processing, canning and packing of fish, vegetables and fruit. In the seven provinces which have Acts or orders of general application most workers are covered, with the exceptions noted below.

Farm workers are excluded in all provinces. Persons employed in horticulture in British Columbia, in growing flowers, fruits and vegetables in Ontario, and in ranching and market gardening in Manitoba and Saskatchewan are also excluded. Domestic servants are exempted in all provinces but Manitoba and Saskatchewan. Professional workers are excluded in British Columbia and Ontario, employees of municipal and school corporations in Quebec, salesmen in Alberta, Ontario and Quebec, persons engaged in funeral directing and embalming in Ontario and workers employed in lumbering and commercial fishing in Nova Scotia. In addition to the groups already mentioned, apartment house janitors, caretakers provided with free lodgings, home-workers, part-time workers working three hours or less in a day and a few other groups are excluded in Quebec. Also excepted are the large group of workers governed by decrees under the Collective Agreement Act (see footnote below). The Manitoba Act excludes independent contractors, and employees of railway and express companies under federal jurisdiction. Workers governed by a collective agreement in British Columbia are exempted from the Act if the Minister of Labour approves the vacation provisions of the agreement.

In New Brunswick, Nova Scotia, Ontario and Quebec, a worker is entitled to a vacation with pay of one week after a year of employment; in Alberta, the vacation requirement is one week after one year's service and two weeks after two years; and in British Columbia, Manitoba and Saskatchewan, an employee is entitled to a two weeks' vacation with pay after working one year. The Saskatchewan Act further provides for a three weeks' vacation after five years' service with the same employer. An employee whose service with an employer has not been continuous is eligible for a three weeks' vacation after five "accumulated" years of employment, if no break in his service has exceeded 6 months (182 days). The Saskatchewan Act also provides that a system of cumulative vacations may be established by regulations, under which an employee may, by agreement with his employer and with the approval of the Minister, postpone one week of his vacation each year for a period not exceeding four years.

* Provisions for an annual vacation with pay or pay in lieu of a vacation vary in the approximately 100 decrees in effect under the Collective Agreement Act and are not dealt with in this bulletin. The Department of Labour or Minimum Wage Commission has no jurisdiction with respect to the administration and enforcement of the decrees, which are under the supervision of the parity committee concerned. The legislation described above is Minimum Wage Order 3. Order 39 of the Minimum Wage Commission governing forest operations provides for vacation pay at the rate of 2 per cent of earnings for any worker who works at least 75 days within a four-month period for the same employer.

The length of the vacation period and the vacation pay requirements in the various provinces are shown in the table below.

	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Length of Annual Vacation	1 week	1 week*	1 week	1 week	2 weeks	2 weeks; 3 weeks after 5 years' service	1 week; 2 weeks after 2 years' service	2 weeks
Vacation Pay	2% of annual earnings	2% of annual earnings	Regular pay if paid by the week or longer period; otherwise 2% of annual earnings	2% of annual earnings	Regular pay	1/26 of annual earnings in first four years; 3/52 of annual earnings after fifth year	Regular pay	4% of annual earnings

*In construction, mining, and the processing, canning, and packing of fish, vegetables and fruit.

The employer may determine the time when each of his employees may take the annual vacation provided for, within certain limits laid down by law. The vacation must be given in New Brunswick not later than 4 months after the working year ends; in Saskatchewan *within* 10 months, and in British Columbia, Manitoba, Nova Scotia and Ontario, *not later than* 10 months, after the date on which the employee becomes entitled to a vacation; in Alberta within 12 months after the date on which the employee becomes entitled to a vacation; and in Quebec within 12 months after May 1 of every year.

If a worker has worked less than a year, he is entitled in Quebec to a half-day for each calendar month of employment, and in Saskatchewan he may by agreement with his employer be given one day for each month.

In Alberta, British Columbia and Nova Scotia, a worker who during a year of employment has worked less than the prescribed working time constituting a year's service (less than 225 days in Alberta and British Columbia, less than 90 per cent of regular working hours in Nova Scotia) and who continues to work for the same employer must be paid vacation pay at the rate of 2 per cent of earnings (4 per cent in British Columbia) for the period worked. The vacation pay is payable within 30 days (one month in Nova Scotia) after the anniversary date of the worker's employment. A worker in the construction industry in Ontario whose employment with his employer extends beyond June 30 must be given vacation stamps on that date equal in value to 2 per cent of his earnings during the preceding period of employment. A worker in construction or mining or in the canning and packing industries in New Brunswick who has worked for his employer for less than a year and continues to be employed must be given the requisite amount of vacation stamps, equal in value to 2 per cent of his earnings, not later than four months after the year ends.

If employment is terminated **during** a working year, the worker is entitled to vacation pay in Alberta, British Columbia, Nova Scotia, Quebec and Saskatchewan. In New Brunswick and Ontario, a worker who ceases to be employed before working a full year is entitled to vacation pay credits in the form of stamps. A worker must have been employed for at least 30 days

in Alberta and for at least three months in Nova Scotia in order to be eligible for vacation pay. In Ontario, an employee who leaves his employment of his own accord must have been employed for at least three months in order to qualify for vacation credit; where, however, the employment is terminated by the employer, the employee must be given vacation credit for whatever time he has been employed. Payment is made at the rate of 4 per cent of earnings in British Columbia, at the rate of $1/26$ or $3/52$ of earnings, depending on the year of employment, in Saskatchewan, and at the rate of 2 per cent of earnings in the other provinces (in Alberta, 4 per cent of earnings in a second or subsequent year of employment).

A stamp system of vacation pay credits is in effect in Alberta, New Brunswick, Nova Scotia, Ontario and Quebec for workers in the construction industry who are frequently employed by several employers during a year. In Ontario, the stamp system is used in any industry under the Act if employment is terminated during a working year. It is also in effect in New Brunswick in mining and in the canning and packing industries for employees who cease to be employed before completing a year of employment.

In British Columbia, the administrative board has authority to establish a system of vacation credits, and in the provinces in which the stamp system is now used in the construction industry only, a wider use of the stamp system is authorized. In Alberta, an employer in any industry other than construction may, with the approval of the administrative board, adopt the vacation stamp system. In Nova Scotia, vacation stamps may be used in any industry designated by the Lieutenant-Governor in Council, and in Quebec they may be used in any industry other than the building construction industry, if the employer and his employees so agree.

Under the vacation stamp system, the employer affixes vacation with pay stamps to the worker's stamp book at the end of each pay period in Alberta and Quebec, or in New Brunswick, Nova Scotia and Ontario, when the employment ends. In Ontario, stamps must be affixed within 10 days after the worker presents his book; in Nova Scotia, the employer must furnish the worker with a stamp book within 10 days after his employment is terminated and affix to the book the requisite amount of stamps. Stamps are equivalent in value to 2 per cent of the worker's earnings in New Brunswick, Nova Scotia, Ontario and Quebec and to 4 per cent in Alberta.

The worker cashes his stamps at a savings bank or, in Quebec, at the office of the Minimum Wage Commission. Stamps may be exchanged for their cash value after May 1 in each year in Quebec, and after June 30 in New Brunswick and Ontario. In Alberta, an employee may obtain the cash equivalent of his vacation credits at any time within the 12 months beginning on January 15 in each year, and in Nova Scotia, an employee may cash his stamps at any time after the anniversary date of his employment.

In Manitoba, the vacation stamp system previously in effect for transitory employees in the construction industry in the Greater Winnipeg area was replaced from July 1, 1960, by a system of cheques issued by the Department of Labour annually.

Under this system, employers are required to make payment of vacation pay to the Minister of Labour at such times as the Minister prescribes, to furnish to the Minister the name and address of each employee, the number

of his unemployment insurance book and other information, and to notify the employee in writing of the amount paid.

The Minister will in turn pay the amounts received to the Provincial Treasurer, who will credit them to a special division of the Consolidated Fund.

As soon as practicable after June 30 in each year, the Minister will requisition a cheque in favour of each employee in respect of whom he has received vacation pay, in the amount to his credit in the records of the Department of Labour, less any charge for administrative expenses, and send it to the employee.

Under the vacation stamp system, construction workers in the Greater Winnipeg area who were unemployed and had exhausted their unemployment insurance benefits were permitted to cash vacation stamps issued to them on or after July 1 at any time after November 30. Under the new scheme, subject to the same conditions, they may obtain their vacation pay in the form of a cheque from the Minister of Labour after November 30 in any year.

IV PUBLIC HOLIDAYS

Only two provinces, Manitoba and Saskatchewan, have provisions of general application dealing with public holidays.

In Saskatchewan, the Minimum Wage Board, acting under authority conferred on it by the Legislature in 1947, requires full-time employees who do not work on any of eight public holidays to be paid their regular pay. The eight holidays are New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, Remembrance Day and Christmas Day.

If required to work on a holiday, employees in all workplaces except hotels, restaurants, hospitals, nursing homes and educational institutions must receive, in addition to their regular pay for the holiday, time and one-half the regular rate for every hour or part of an hour worked, in effect, two and one-half times their regular pay.

Full-time workers in hotels, restaurants, hospitals, nursing homes and educational institutions who are required to work on a holiday must be paid, in addition to their regular pay, wages at the regular rate or they may be granted equivalent time off at regular rates within four weeks.

When Christmas or New Year's Day falls on Sunday, the requirements set out above apply to the following Monday. They also apply when the Monday following Remembrance Day is declared a holiday. By agreement between an employer and a trade union representing a majority of the employees in an appropriate bargaining unit, another working day may be substituted for any of the eight listed holidays.

The Manitoba provisions, which were enacted in 1951 and which are now contained in the Employment Standards Act, prohibit work on specified public holidays unless an overtime rate is paid.

In all employment except farming, subject to the exceptions noted below, workers are entitled to time and one-half their regular rate if required to work on seven "general holidays" – New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day and Christmas Day.

For workers employed in a continuously operating plant, a seasonal industry, a place of amusement, a gasoline service station, a hospital, a hotel or a restaurant, or in domestic service, compensatory time off may be substituted, in accordance with custom or agreement. Domestic servants may be granted two half-days off in lieu of a holiday.

By a special Act, Remembrance Day has been declared a public holiday in Manitoba. Except in farming and certain essential services, work may not be performed except by permit from the Minister of Labour. Overtime provisions are not applicable on Remembrance Day. Any employee, other than a watchman, furnace tender or janitor, who is required to work and who is paid at his regular rate of pay must be granted equivalent compensatory time off, without loss of pay, within 30 days.

Provisions in minimum wage orders in Nova Scotia, Manitoba and Alberta deal with the question of pay for public holidays but only to the extent of prohibiting deductions from the minimum wage for time not worked on a holiday.

Nova Scotia minimum wage orders, which are applicable to women workers only, prohibit any deduction from the minimum weekly wage for time not worked because of public holidays, if an employee has worked all the scheduled working days in the week during which the holiday occurs, and, in the case of a holiday falling on Monday, if she worked the last scheduled working day immediately before the holiday.

In Manitoba, both men and women workers are protected against a reduction in the minimum weekly wage for time not worked on a general holiday (as listed above) which falls on a regular working day. Where an employee does not work on a holiday but does work the regularly scheduled hours on all the other working days in the week, it is to be presumed, for the purpose of determining the minimum amount of wages to be paid to the employee for that week, that he worked regular hours on the holiday. An employee does not lose the benefits of this provision through being absent on either the day before or the day after the holiday because of established illness or with the employer's consent.

The Alberta minimum wage orders forbid an employer to reduce the wages of a full-time employee of either sex below the prescribed minimum wage by making a deduction for time not worked on a holiday when the employer's place of business is closed. In any minimum wage order the Board may provide that for work done on a holiday the overtime rate must be paid.

The Factories Act of British Columbia makes it mandatory for factories, with the exception of certain continuous industries, to close on specified public holidays unless the inspector gives permission for employment, but it does not deal with the question of pay for the holidays. The establishments for which a permit is not required are those engaged in the production of light, heat or power, railway and street railway repair shops, metallurgical works, bakeshops in a municipality, milk processing and distributing plants, oil refineries, factories manufacturing cement, glass or chemicals, and laundries operated in conjunction with hospitals.

Public holidays, under the Factories Act, include Christmas, New Year's Day, Victoria Day, Dominion Day, Labour Day, Remembrance Day, any day declared to be a public holiday by Proclamation, and, at the option of the employer, either Good Friday or Easter Monday. Boxing Day (December 26) and Thanksgiving Day are proclaimed each year as holidays under the Factories Act.

Shops in all municipalities in British Columbia must be closed on the holidays listed above, including both Good Friday and Easter Monday, and on Boxing Day, the Queen's Birthday and Thanksgiving Day. There is also legislation in Newfoundland requiring shops to be closed on specified public holidays in St. John's, Exploits Valley, and certain proclaimed shop-closing areas.

Provisions prohibiting work on specified public holidays except with permit, stipulating that certain holidays must be observed as paid holidays, or requiring the payment of an overtime rate for work done on specified holidays are regular features of the decrees under the Quebec Collective Agreement Act and of industrial standards schedules in Alberta, New Brunswick, Nova Scotia, Ontario and Saskatchewan. These provisions,

while regulating a considerable portion of industry, particularly in Quebec, apply only to certain trades and areas in the province concerned. They are not dealt with in this bulletin.

V MAXIMUM HOURS OF WORK IN MINES, FACTORIES, SHOPS AND OFFICES

Five provinces have Acts of general application limiting working hours (the Alberta Labour Act, Part I; the British Columbia Hours of Work Act; the Manitoba Employment Standards Act, Part III; the Ontario Hours of Work and Vacations with Pay Act; and the Saskatchewan Hours of Work Act).

These Acts are of two types. Those of Alberta, British Columbia and Ontario set daily and weekly limits on hours, and provide that work may not continue beyond these limits without the permission of the administrative authority. The Manitoba and Saskatchewan Acts do not, strictly speaking, impose limits on hours. They provide instead that time and one-half the regular rate must be paid where work is carried on beyond specified daily or weekly hours (in Manitoba, after 8 and 48 hours for men and 44 hours for women; in Saskatchewan, after 8 and 44 hours). A 1958 amendment to the Saskatchewan Act, however, empowered the Lieutenant-Governor in Council to limit daily hours in any class of employment. Where any such regulation is made governing a particular occupation, work beyond 12 hours in a day is prohibited, unless authorized in writing by the Minister of Labour.

Exemptions from the standards imposed are permitted under all the Acts.

In Alberta, working hours are limited to 8 in a day and 48 in a week except in the four largest cities, Edmonton, Calgary, Lethbridge and Medicine Hat, where 8 and 44-hour limits have been in effect since 1952. The British Columbia Act sets a maximum of 8 hours in a day and 44 hours in a week. In both Alberta and British Columbia, the administrative board has statutory power to permit exceptions and where it permits hours limits to be exceeded it may fix the minimum wage payable for overtime. In both provinces the board has made special orders for some industries, exempting workers entirely from hours limitations or permitting them to work a maximum number of additional hours, subject to definite overtime pay requirements.

The Ontario Act limits working hours to 8 in a day and 48 in a week. Provision is made in a general order for the working of overtime in any establishment, with the approval of the administrative board, to the extent of 100 hours in each year for each employee. Engineers, watchmen, firemen, shippers and other persons engaged in non-productive work may, with board approval, work 12 hours' overtime in each week.

In Saskatchewan, it has been necessary to provide for some relaxation of the provisions of the Act, and regulations permit a 48-hour week to be worked in workplaces, other than factories, in the smaller centres before overtime rates apply. Other regulations permit hours to be averaged over a specified period, thus allowing some variation from week to week. Certain classes of employment have been entirely exempted from the Act.

The Manitoba Act applies only in the chief industrial areas of the province. As in other provinces, the administrative board may authorize longer hours under certain circumstances.

Under all the Acts, there is provision for working 9 or more hours in a day in order to establish a 5-day week, provided the weekly maximum is not exceeded. The Acts also stipulate that hours may be exceeded in emergencies.

In a few provinces mines and factory Acts regulate hours of work. In Nova Scotia and New Brunswick, mines Acts, which set a maximum 8-hour day, provide the only statutory regulation of hours of work of miners; in the other provinces, hours of work Acts apply.

Provisions contained in factory legislation limiting working hours of women and young persons have been superseded by hours of work laws in some provinces. In New Brunswick and Quebec, however, factories Acts place some restrictions on hours of women and boys under 18. The Nova Scotia Factories Act limits hours of boys and girls under 16 to 8 in a day and 48 in a week.

In Newfoundland, Acts governing shops fix maximum hours for shop assistants. The St. John's Shops Act limits hours of shop assistants in St. John's and a six-mile radius to 40 in a week unless time and one-half is paid. The same requirement was laid down in 1960 for shop workers in the Exploits Valley district.

The table shows the maximum hours fixed under the statutes mentioned above for employment in mines, factories, shops and offices. It does not include the maximum hours of work set for certain classes of factories and shops by decrees under the Quebec Collective Agreement Act or by industrial standards schedules in Alberta, Ontario and Saskatchewan. Likewise omitted are provisions relating to children, the 8-hour day and 48-hour week in Nova Scotia factories for boys and girls under 16, and the 48-hour week for work below ground in Quebec mines for boys under 17.

Where special overtime rates are fixed, they are shown on page 19.

	Nfld.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Coal Mines									
Above	—	—	—	—	—	—	8,44 ^a	8,48	8,44
Below	—	8	8	—	—	—	8,44 ^a	8,48	8,44
Metal Mines									
Above	—	—	8	—	8,48	8,48(men) ^a	—	8,48	8,44
Below	—	—	8	—	8,48	8,48(men) ^a	—	8,48	8,44
Factories	—	—	9,54 ^b	10,55 ^b	8,48 ^c	8,48(men) ^d 8,44(women) ^d	8,44 ^e	8,48 8,44(4 cities) ^f	8,44
Shops									
8 ^b 54 (various shop-closing areas)		—	—	60 ^h	8,48 ^c	8,48(men) ^d 8,44(women) ^d	8,44 ⁱ	8,48 8,44(4 cities) ^f	8,44
40 (St. John's and Exploits Valley) ^g									
8 ^b ,54 (various shop-closing areas) ^j									
40 (St. John's and Exploits Valley) ^{g,j}									
Offices									
40 (St. John's and Exploits Valley) ^{g,j}		—	—	—	8,48	8,48(men) ^d 8,44(women) ^d	8,44 ⁱ	8,48 8,44(4 cities) ^f	8,44

a These limits apply unless time and one-half is paid.

b Females and boys under 18.

c In case of exemptions under the Hours of Work Act, maximum hours permitted for women and boys under 16 are 10 and 60, the limits set by the Factory, Shop and Office Building Act.

d These limits apply unless time and one-half is paid. Women may not work overtime to a greater extent than 3 hours in a day, 12 hours in a week and 24 hours in a month.

e These limits apply unless time and one-half is paid. The Factories Act prohibits employment of women beyond 48 hours in a week. Thus, women in factories must be paid time and one-half if they work beyond 44 hours in a week and they may not work more than 48 hours.

f Maximum hours are 8 and 44 in Edmonton, Calgary, Lethbridge and Medicine Hat.

g This limit applies unless an overtime rate not less than time and one-half is paid.

h Females and boys under 18 in towns of 10,000 or more.

i These limits apply unless time and one-half is paid. In centres of less than 500 population, time and one-half must be paid after 48 hours in a week.

j These limits apply only to offices connected with shops.

VI - 1 MINIMUM RATES FOR EXPERIENCED WORKERS UNDER MINIMUM WAGE ACTS*

The table shows the minimum rate for full-time experienced workers. In Nova Scotia, minimum rates are in effect for women workers only, since the Male Minimum Wage Act, 1945, has not been proclaimed in effect. In Ontario, minimum rates have also been set for women only. In New Brunswick, only one order is in effect for men - that covering the canning industry. No minimum rates have yet been established under the legislation recently enacted in Prince Edward Island, a 1959 Act covering women workers and a 1960 Act applying to males.

Notes relating to table:

a Workers over 17 years.

b Zone I - Halifax, Sydney, Glace Bay, Amherst, Dartmouth, New Glasgow, New Waterford, North Sydney, Sydney Mines, Truro; Zone II - Annapolis Royal, Antigonish, Berwick, Bridgetown, Bridgewater, Canso, Clark's Harbour, Dominion, Digby, Hantsport, Inverness, Kentville, Liverpool, Lockeport, Louisburg, Lunenburg, Mahone Bay, Middleton, Mulgrave, Oxford, Parrsboro, Pictou, Port Hawkesbury, Shelburne, Springhill, Stellarton, Stewiacke, Trenton, Westville, Windsor, Wolfville, Yarmouth; Zone III - remainder of province.

c Minimum rate of 45¢ per hour in fish-processing industry anywhere in province.

d Zone I - Montreal region, including Island of Montreal, Ile Jesus, Ile Bizard and County of Chambly; Zone II - remainder of province.

e Zone I - Toronto, Hamilton, Windsor, Ottawa and environs and London; Zone II - places of 3,000 or over; Zone III - places under 3,000.

f Workers of 18 and over. Employees under 18, 48¢ per hour.

g Workers of 18 and over. Minimum \$30 for workers under 18.

h Applies to canning or processing of fish, vegetables or fruit.

i Those over 19 years. For males under 19, in centres over 5,000 population: under 17 years, \$20; 17-18 years, \$22; 18-19 years, \$26. Elsewhere in province: under 17, \$16; 17-18, \$18; 18-19, \$22.

j Rate applicable to city or town applies to hotels and restaurants within 20 miles June 1 - September 30.

* As indicated in the table, weekly rates are set in some provinces, hourly rates in others.

Establishment	Sex	Nfld.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
FACTORIES	F	cents per hour 35a	\$ per week 21.60, Zone I 19.20, Zone II 14.40, Zone III ^{b,c}	cents per hour 60	cents per hour 70, Zone I 64, Zone II ^d	\$ per week 30, Zone I 28, Zone II 26, Zone III ^e	cents per hour 66, cities 61, rural ^f	\$ per week 32g	\$ per week 28, centres over 5,000 population; 24, rest of province	cents per hour 60
	M	50a	—	65h	As above	—	As above	As above	30, centres over 5,000 population; 26, rest of province ⁱ	75
SHOPS	F	35a	As in factories	60	As in factories	As in factories	As in factories	As in factories	As in factories	65
	M	50a	—	—	As in factories	—	As in factories	As in factories	As in factories	65
OFFICES	F	35a	As in factories	60	As in factories	As in factories	As in factories	As in factories	As in factories	75
	M	50a	—	—	As in factories	—	As in factories	As in factories	As in factories	75
HOTELS RESTAURANTS	F	35a	As in factories ^j	55	64, Zone I 60, Zone II ^d	As in factories	As in factories	As in factories	As in factories	65
	M	50a	—	—	As above	—	As in factories	As in factories	As in factories	65

VI - 2 MINIMUM RATES AND LEARNING PERIODS FOR INEXPERIENCED WORKERS*

NOTE: The Newfoundland, New Brunswick and Saskatchewan Orders make no provision for lower rates for learners.

Establishment	Sex	N.S.	Que.	Ont.	Man.	Alta.	B.C.
F	F	\$ per week	cents per hour	\$ per week	Rates and learning period to be set out in permit granted by Minister. Learning period may not exceed 6 months and starting rate must be at least 75% of minimum rate ^a .	\$ per week	cents per hour
	F	Probationary period of 90 days: 18, Zones I and II	56, Zone I 52, Zone II (pieceworkers in first 6 months of employment)	2 three-month periods: 26, 28, Zone I 24, 26, Zone II 22, 24, Zone III ^a		3 one-month periods: 22, 24, 26, centres over 5,000 population; 18, 20, 22, rest of province ^a	3 two-week periods: 45, 50, 55
M	M	—	As above	—	As above	—	As above
SHOPS	F	As in factories	—	As in factories	As in factories	As in factories	As in factories
	M	—	—	—	As in factories	—	As in factories
OFFICES	F	As in factories	—	As in factories	As in factories	As in factories	2 one-month periods: 55, 65
	M	—	—	—	As in factories	—	As above
HOTELS RESTAURANTS	F	As in factories	—	As in factories	As in factories	As in factories	—
	M	—	—	—	As in factories	—	—

*As indicated in the table, weekly rates are set in some provinces, hourly rates in others.

(a) In Alberta, not more than 25% of the total number of women workers in an establishment, and in Ontario not more than 20%, may be classed as inexperienced. In Manitoba, the Minister of Labour may fix, at not more than 25%, the percentage of women workers that an employer may employ as learners.

VI - 3 OVERTIME RATES UNDER MINIMUM WAGE ORDERS

Establishment	Sex	Nfld.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B. C.
<p> FACTORIES SHOPS OFFICES HOTELS RESTAURANTS </p>	F	For hourly paid workers, 1½ times the minimum rate after 8 hours and for work on Sunday; for workers paid a fixed weekly or monthly wage, 1½ times the minimum rate after 48 hours.	1½ times the minimum rate after 48 hours, if normal, or less.	Factories, shops and offices, 90 cents per hour, and hotels and restaurants, 83 cents per hour, after 48 hours.	1½ times the minimum rate after the hours in the "regular work week" (a) (b)	Pro rata after normal week.	1½ times the minimum rate after 8 and 44 hours.	1½ times the regular rate but in hotels and restaurants in centres other than cities after 48 hours; in shops and offices in centres with under 500 people after 48 hours. (d)	1½ times the regular rate after 9 and 48 hours (after 44 hours in four largest cities).	1½ times the regular rate after 8 and 44 hours or after 9 and 48 hours permitted by Board.
	M	As above	—	—	As above	—	1½ times the minimum rate after 48 hours.	As above	As above	As above

(a) Regular work week for factories, shops, and offices is 48 hours; for hotels and restaurants it is 54 hours.

(b) Workers paid on a yearly, monthly, or weekly basis at least \$60 a week in Zone I, and \$55 in Zone II, whether or not they work a full week, are not entitled to payment for overtime.

(c) Overtime payable after 9 and 44 in case of 5-day week.

(d) Provision for overtime is contained in Hours of Work Act and orders.

VII EQUAL PAY

Seven provinces, Alberta, British Columbia, Manitoba, Nova Scotia, Ontario, Prince Edward Island and Saskatchewan, have equal pay laws. The Alberta legislation, enacted in 1957, forms Part VI of the Alberta Labour Act.

The British Columbia, Nova Scotia, Ontario and Prince Edward Island Acts prohibit an employer from paying a female employee at a rate of pay less than the rate paid to a male employee for *the same work done in the same establishment*. The Saskatchewan Act contains a similar prohibition but refers to *work of comparable character done in the same establishment*. The Manitoba and Alberta statutes are alike in referring to *identical or substantially identical work* but the Manitoba Act differs from the other Acts in that it forbids discrimination against either sex in the payment of wage rates. Under the Manitoba Act an employer is forbidden to pay to the employees of one sex wages on a scale different from that on which wages are paid to employees of the other sex in the same establishment, *if the work required of, and done by, employees of each sex is identical or substantially identical*. The Alberta Act forbids an employer to employ a female employee for any work at a lesser rate of pay than the rate at which he employs a male employee for *identical or substantially identical work*. Differences in rates of pay based on a factor other than sex do not constitute failure to comply with the requirements of the Acts. In all the Acts except that of Alberta, "establishment" is defined as a place of business or the place where an undertaking or part of an undertaking is carried on. The Manitoba and Saskatchewan Acts were made applicable to provincial government employees.

Under all the Acts, enforcement begins with the filing of a written complaint with a director, an officer of the Department of Labour charged with the duty of receiving and dealing with complaints (in Alberta, with the Chairman of the Board of Industrial Relations and in Prince Edward Island, with the Labour Relations Board).

In all provinces except Prince Edward Island the legislation provides for an informal inquiry into a complaint by an officer of the Department of Labour (in Manitoba and Nova Scotia, by an officer of the Department of Labour or any other person). If the officer is unable to effect a settlement of the matter complained of, a board or commission of one or more persons may be appointed to ascertain the facts and to make recommendations in Nova Scotia, Ontario and Saskatchewan. In Alberta and British Columbia, the matter may be referred to an existing board, the Board of Industrial Relations. Under the Manitoba Act, the second stage of the procedure is the appointment of a referee, who may or may not be an officer of the Department of Labour, to make an inquiry with a view to the settlement of the complaint and to recommend to the Minister the course that ought to be taken. All these Acts provide that the parties to the complaint must be given full opportunity to present evidence and to make representations. The recommendations of the board, commission or referee, as the case may be, may be put into effect by an order of the Minister of Labour (in Alberta, an order of the Board of Industrial Relations). Compliance with the order is required.

The Prince Edward Island Act authorizes the Labour Relations Board to "inquire into the complaint and endeavour to effect a settlement of the matters complained of". There is no provision in the Act for a Board order, with which compliance is required.

In Manitoba, an information may be laid against an employer who fails to comply with an order of the Minister and the magistrate may order the employer to pay any wages found to be due to the employee. In Alberta, an employer convicted of an offence under the equal pay provisions of the Act is made liable for the payment of whatever additional remuneration the employee would have received if the employer had complied with the Act, subject, however, to a limitation of six months' wages.

In Manitoba, the failure of an employee to lodge a complaint with the Minister within 30 days after receiving his or her first wages at an unlawful scale bars the employee from making a complaint and having it dealt with under the Act.

VIII WORKMEN'S COMPENSATION

All provinces have a workmen's compensation law of the "collective liability" type.

In each province a Workmen's Compensation Act applicable to most industries and occupations provides for the payment of compensation to a workman or his dependants in case of accident or industrial disease arising out of and in the course of employment. The only exceptions are (1) where the workman is disabled for less than a stated number of days, or (2) where the injury is attributable solely to his serious and wilful misconduct and does not result in death or serious disablement.

Compensation is payable by employers collectively. Compensation, medical expenses and other benefits are paid from a provincial Accident Fund built up by annual assessments, in the form of a percentage of payroll, levied on employers covered by the Act. For assessment and compensation purposes, industries are classified according to their hazard and each class is liable for the cost of accidents occurring in that class. No contributions from employees are permitted.

The compensation to which a workman is entitled under the Act takes the place of his right of action, and he may not sue his employer in court for damages for an injury sustained in the course of employment.

Benefits under the Acts include periodic payments to the workman during the period of temporary disablement (in all provinces on the basis of 75 per cent of average earnings, subject to the maximum annual earnings provided in the Act); an award for permanent disability (based on 75 per cent of average earnings) in the form of a monthly pension for life or, when disablement is slight, paid in a lump sum; all necessary medical aid, including hospitalization; and rehabilitation. In case of death by accident, fixed monthly payments are made to dependants. In addition to a monthly pension, a widow receives a lump sum payment and an allowance for funeral expenses.

The benefits payable under the Acts are set out on the following pages.

NOTE: For further information about workmen's compensation laws, see the annual bulletin *WORKMEN'S COMPENSATION IN CANADA* published by the Department of Labour of Canada and available from the Queen's Printer, Ottawa. Price 25 cents.

1. Monthly Benefits to Dependents in Case of Death of Workman

Funeral	Widow or In- valid Widower	Children With Parent	Orphans	Where only dependants are other than consort and child	Maximum
\$200 ⁴	\$60 plus sum of \$100	Under 16, \$20 each ¹	Under 16, \$30 each ¹	NEWFOUNDLAND Sum reasonable and in pro- portion to pecuniary loss ²	75% of earnings. Minimum \$60 to consort, \$20 to each child or \$30 to orphan child unless total benefits exceed \$130 ³
\$300 ⁴	\$50 plus sum of \$200	Under 16, \$20 each. ¹ Maximum to consort and children, \$170	Under 16, \$30 each. ¹ Maximum \$120	PRINCE EDWARD ISLAND As in Newfoundland. Maxi- mum to parent or parents, \$40. Maximum in all, \$60 ²	75% of earnings but Board may waive the 75% res- triction where circumstances require it. ³
\$250 ⁴	\$60 plus sum of \$150	Under 16, \$22.50 each. ¹	Under 16, \$30 each. ¹	NOVA SCOTIA As in Newfoundland. Maximum \$45 each. Maximum in all, \$60 ²	
\$300 ⁴	\$60 plus sum of \$100	Under 18, if attend- ing school, \$20 each ¹	Under 18, if attend- ing school, \$40 each ¹	NEW BRUNSWICK As in Newfoundland ²	75% of \$4,000 per year ³
\$400 ⁴	\$75 plus sum of \$300	Under 18, \$25 each ¹	Under 18, \$35 each ¹	QUEBEC As in Newfoundland ²	75% of earnings. Minimum \$100 to consort and one child; \$125 to consort and two children; \$150 to con- sort and more than two children ³
\$300 ⁴	\$75 plus sum of \$300	Under 16, \$25 each ¹	Under 16, \$35 each ¹	ONTARIO As in Newfoundland. Maximum \$100 ²	Average earnings. Minimum \$75 to consort, \$25 to each child or \$35 to orphan child unless total benefits exceed \$150 ³
\$200 ⁴	\$75 plus sum of \$300	Under 16, \$35 each ¹	Under 16, \$45 each ¹	MANITOBA Maximum to wholly dependent mother, \$75. Other dependants-as in Newfoundland. Maximum \$30 each. Maximum in all, \$60 ²	75% of earnings. Minimum \$75 to consort; \$110 to consort and one child; \$145 if more ³

\$250 ⁴	\$100 plus sum of \$300 ⁵	Under 16, \$35 each ¹	SASKATCHEWAN		Average earnings. Minimum \$100 to consort; \$135 to consort and one child; \$170 to consort and two children and \$20 for each additional child ^{3, 6}
			Under 16, \$50 each, plus a sum not exceeding \$50 at the discretion of the Board. ¹	As in Newfoundland ²	
\$200 ⁴	\$60 plus sum of \$150	Under 16, \$30 each ¹	Under 16, \$30 each. Additional amount not exceeding \$10 may be paid to any child under 18 ¹	ALBERTA	
				As in Newfoundland. Maximum to parent or parents, \$50. Maximum in all, \$85	
\$250 ⁴	\$90 plus sum of \$250	Under 16, \$35 each ¹ ; if attending school, \$35 between 16 and 18 years	BRITISH COLUMBIA		
			Under 18, \$40 each ¹ ; \$37.50 if able to attend school between 16 and 18 years and not attending	(a) As in Newfoundland. Maximum \$90 to parent or parents. Maximum in all, \$90 (b) If there is widow or invalid widower or orphans, maximum to parent or parents, \$90 ²	

¹ In Alberta, Manitoba, Newfoundland, Nova Scotia, Ontario and Prince Edward Island, payments to children may be made up to 18 years, and in Saskatchewan up to 19 years, if desirable to continue education. In Alberta, Newfoundland and Prince Edward Island, payments to invalid children are continued so long as Board considers workman would have contributed to support. In British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan, payments are continued until recovery.

² Compensation in these cases is continued only so long as Board considers workman would have contributed to support.

³ For maximum earnings that may be reckoned, see Table 2, Column 5.

⁴ For transporting body for burial, a maximum of \$150 in Quebec, of \$125 in Newfoundland and New Brunswick and of \$100 in Alberta, British Columbia, Nova Scotia and Prince Edward Island may be paid. No maximum is specified in Ontario and Saskatchewan. In Manitoba, the Board may pay transportation expenses within the province and part of expenses if the body is moved into or from the province. In Alberta and British Columbia, only transportation expenses within the province are allowed. In Manitoba and Saskatchewan, compensation may include payment for burial plot, not exceeding \$50.

⁵ Monthly pension of \$75 after the age of 70.

⁶ If consort is over 70, amounts are \$75, \$110 and \$145, respectively.

2. Benefits in Case of Disability

	PERMANENT		Total	TEMPORARY		Maximum Earnings Reckoned
	Partial	Total		Partial	Total	
75% of earnings. Minimum \$65 per month or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	NEWFOUNDLAND 75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident, for duration of disability ^{1,2}		\$3,000 per an.	
75% of earnings. Minimum \$20 per wk. or earnings, if less ³	75% of difference in earnings before and after accident or compensation may be based on impaired earning capacity estimated from the nature of the injury ^{1,2,3}	PRINCE EDWARD ISLAND 75% of earnings for duration of disability. Minimum \$20 per wk. or earnings, if less ³	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ^{1,2,3}		\$3,000 per an.	
75% of earnings. Minimum \$100 per month or, if the workman has more than one child under 16, the amount which a widow with the same number of children would receive	75% of difference in earnings before and after accident or compensation may be based on impaired earning capacity estimated from the nature of the injury. If disability 25% or more, average earnings must be taken as not less than \$18.75 per wk. ¹	NOVA SCOTIA 75% of earnings for duration of disability. Minimum \$20 per wk. or earnings, if less	75% of difference in earnings before and after accident for duration of disability ^{1,2}		\$3,600 per an.	
Average earnings but not in excess of 75% of \$4,000	Amount determined by Board, based on impaired earning capacity ¹	NEW BRUNSWICK 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	If earning capacity diminished by more than 10%, 75% of diminution of earning capacity for duration of disability		\$4,000 per an.	
75% of earnings. Minimum \$15 per wk. or earnings, if less	75% of difference in earnings before and after accident or, where possible, compensation may be based on impaired earning capacity estimated from the nature of the injury ^{1,2}	QUEBEC 75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ^{1,2}		\$5,000 per an.	

75% of earnings. Minimum \$100 per month or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	ONTARIO 75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	75% of difference in earnings before and after accident for duration of disability ^{1,2}	\$5,000 per an.
75% of earnings. Minimum \$25 per wk. or earnings, if less	75% of difference in earnings before and after accident or, where deemed just, compensation may be based on impaired earning capacity estimated from the nature of the injury ¹	MANITOBA 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ¹	\$4,500 per an.
75% of earnings. ⁴ Minimum \$30 per wk.	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	SASKATCHEWAN 75% of earnings for duration of disability. Minimum \$30 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident, for duration of disability ^{1,2}	\$6,000 per an.
75% of earnings. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury ¹	ALBERTA 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury for duration of disability	\$4,000 per an.
75% of earnings. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	BRITISH COLUMBIA 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident for duration of disability ^{1,2}	\$5,000 per an.

¹ If earning capacity is diminished 10% or less (5% or less in Alberta), a lump sum may be given.

² The minimum payable in case of partial disability is the same proportion of the minimum for total disability (see preceding column) as impairment is of full earning capacity.

³ Board may fix compensation on basis of \$15 per week, even though average earnings are less than that amount.

⁴ Where compensation to workman with dependants would be less than \$1,200 a year, Board may increase compensation in respect of dependants by specified monthly amounts. In such cases, total amount payable may not exceed \$1,200 a year.

IX FAIR EMPLOYMENT PRACTICES

Fair employment practices Acts prohibiting discrimination in hiring and conditions of employment and in trade union membership on grounds of race, colour, religion or national origin are in effect in British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario and Saskatchewan.

In general terms, all the Acts forbid discrimination on grounds of race, colour, religion or national origin. "National origin" in the Manitoba Act, however, is defined to include ancestry, and, in the New Brunswick Act, nationality and ancestry. Instead of "national origin" the British Columbia and Ontario Acts use the wording "nationality, ancestry or place of origin". The Saskatchewan Act specifies "ethnic or national origin" and includes "religious creed" as well as "religion". On any of these grounds an employer may not refuse to employ or discharge any person or discriminate against any person in regard to employment or any term or condition of employment. A trade union is forbidden to exclude any person from membership, to expel or suspend any of its members, or to otherwise discriminate against a member or other person.

All the Acts prohibit the publication of advertisements, the use of application forms, and, except in Manitoba, the making of inquiries, either written or oral, in connection with employment which express any limitation, specification or preference as to race, colour, religion or national origin. The Saskatchewan provisions, as amended in 1959, prohibit any expression of discrimination or of intent to discriminate, and the inclusion in an application form, advertisement or inquiry of any question or request for particulars as to an applicant's race, colour, religion or national origin. The British Columbia, Manitoba, New Brunswick and Saskatchewan Acts allow an exception, however, where a limitation, specification or preference as to race, colour, religion or national origin is based upon a **bona fide** occupational qualification.

The prohibitions noted above are applicable to employment agencies as well as to employers, and the Manitoba, Nova Scotia and Saskatchewan Acts forbid an employer to use an employment agency which practises discrimination against persons seeking employment. In Manitoba, New Brunswick, Nova Scotia and Saskatchewan, employers and trade unions may not discharge, expel or otherwise discriminate against any person for making a complaint under the Act.

The Nova Scotia and Saskatchewan Acts apply to all employers regardless of the number of their employees. Under the other Acts, employers with fewer than five employees are excluded. Except in Nova Scotia, an exemption is provided for domestic servants employed in private homes. Under all the Acts, non-profit charitable, philanthropic, fraternal, religious or social organizations are excluded. The British Columbia Act is expressly stated to apply to schools operating under the Public Schools Act and in Saskatchewan, while educational institutions are covered, the right of a school or board of trustees to hire persons of a particular religion where religious instruction forms or can form part of the instruction provided is recognized. With these exceptions, educational institutions are excluded. The Manitoba, New Brunswick and Saskatchewan Acts are applicable to provincial government employees.

The provisions for enforcement of the fair employment practices Acts are similar to those contained in the equal pay Acts. Action in all cases is initiated by the filing of a written complaint. The Acts provide first for an informal investigation and, as a second step, for the appointment of a commission of one or more persons to deal with a complaint which is not settled at the earlier stage. In British Columbia, the Board of Industrial Relations acts as a commission of inquiry. Upon receipt of the board's or commission's recommendations, which may include reinstatement, with or without compensation for loss of employment, the Minister may issue an order to put them into effect. Under the Manitoba Act, a person affected by an order of the Minister has the right to appeal to a judge; under the other Acts, the Minister's order is final and must be complied with. Prosecution under the Acts, for which the consent of the Minister is required, may result in a fine.

Educational anti-discrimination programs may be carried on in Manitoba, Nova Scotia and Saskatchewan under the authority given to the Minister to undertake inquiries and other measures to promote the purposes of the Act. In Ontario, a three-member Anti-Discrimination Commission was set up in 1959 to carry on a program of education to promote the elimination of discriminatory practices.

X WEEKLY REST-DAY

Eight provinces — Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan — provide for a weekly rest-day but the provisions vary in scope.

The Alberta Labour Act requires all employed persons except farm workers and domestic servants to be given a day of rest immediately following each period of not more than six consecutive days of work, unless the Board of Industrial Relations orders that the hours of rest be allowed in two periods or that a longer period than 24 hours be granted. The Act enables the Board to make special provision for days of rest in continuous industries and permits a consecutive rest period every four weeks or in relation to some other work period which the Board may deem proper. Under this authority the Board has made special provision for accumulated days of rest in the highway construction, geophysical exploration, oil well drilling, oil well service and pipeline construction industries and for cooks, night watchmen, etc., in lumber camps.

Orders under the British Columbia Minimum Wage Acts provide for a rest-period of 32 hours weekly for workers in factories, shops, offices, hotels and catering, laundries, hospitals, the woodworking industry, ship-building, public places of amusement, for elevator operators, for men in undertaking establishments, for janitors other than resident janitors in apartment buildings, for patrolmen and for bicycle-riders and foot-messengers employed exclusively on delivery. Different arrangements may be made on application of the employer and employees concerned, if the Board approves. Orders governing resident janitors in apartment buildings containing twenty residential suites and over, and employees in resort hotels in unorganized territory during the summer season provide for a weekly rest of 24 hours.

In Manitoba, the weekly-rest legislation applies to the chief industrial areas of the province, including Winnipeg and environs, St. Boniface, Brandon, Portage la Prairie, Transcona, Flin Flon, Selkirk, Snow Lake and Lynn Lake. A weekly day of rest, if possible Sunday, must be granted to employees in mining, manufacturing, shops, offices, catering, barbering and hairdressing, the insurance business, the baking industry, the transport of goods by road, the processing and distribution of milk and its products and to elevator operators and hotel clerks. Exempted are watchmen, janitors and firemen living in the building in which they are employed; persons not usually employed more than five hours in a day; managers and supervisory employees; repair workers in emergencies; and persons employed for not more than three hours on a weekly rest-day merely for the purpose of looking after horses as part of their usual duty. The Minister of Labour is given discretion to exempt particular undertakings for a period of not more than a year.

The New Brunswick Weekly Rest Period Act requires employers to give their employees a weekly rest of at least 24 consecutive hours, to be taken if possible on Sunday. Where a weekly rest is impracticable, the Minister of Labour may permit rest periods to accumulate and to be taken later, either part at a time or all together. The only employees not covered are farm workers, employees required to cope with an emergency and part-time workers who are not usually employed more than five hours in a day. Certain groups of employees and certain employers may be designated by the Lieutenant-Governor in Council as being outside the scope of the Act.

In Nova Scotia, every employer in mining, manufacturing and construction is required to grant his employees a weekly rest of at least 24 hours. Wherever possible, the period of rest must be on Sunday and must be granted simultaneously to the whole of the staff of each undertaking.

In Ontario, in cities of 10,000 or more people, workers in hotels and restaurants must be allowed a weekly rest-day, Sunday if possible. Watchmen, janitors, foremen, and those employed for five hours or less in a day are exempted.

In Quebec, Minimum Wage Order 4, applying generally to all industries within the scope of the Act not covered by special orders, provides for a weekly rest of 24 hours or two periods of 18 consecutive hours each for the employees covered by its provisions. Farm workers, domestic servants and employees covered by decrees under the Collective Agreement Act are the only workers not within the scope of the Minimum Wage Act. The three special minimum wage orders contain the same provision as Order 4, excluding only a few classes of workers in forest operations, caretakers provided with free lodgings in hotels, restaurants and hospitals, and employees of real estate undertakings. Under the Quebec Weekly Day of Rest Act, persons employed in hotels, restaurants or clubs in places of at least 3,000 population must have 24 consecutive hours' rest in a week. In the Quebec district, the inspector may permit two periods of 18 consecutive hours each instead of one 24-hour period. Where there is only one cook, the 24-hour rest may be replaced by two 12-hour periods.

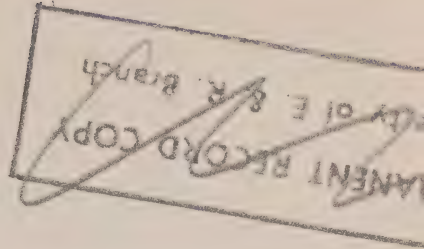
The Saskatchewan statute provides for a weekly rest of at least 24 hours, wherever possible on Sunday, for the employees of any employer

covered by an order of the Minimum Wage Board. (Only agriculture, domestic service and a few other occupations are not covered by minimum wage orders.) Exempted are managers, employees not usually working for more than five hours in a day, and repair men in emergencies. The Minister of Labour may exempt particular employers for not more than one year. Any specified class of employers may be excluded by Order in Council, subject to such conditions as may be prescribed.

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J. Allen

Government
Publication



PROVINCIAL LABOUR STANDARDS

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DECEMBER, 1961
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DEPARTMENT OF LABOUR OF CANADA

LEGISLATION BRANCH

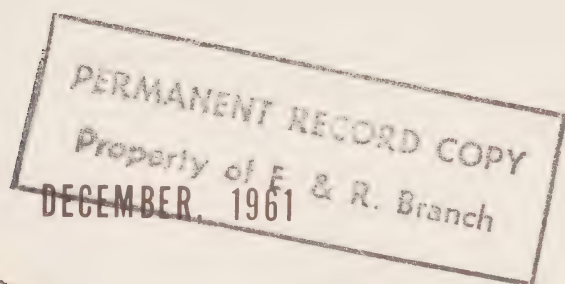
HON. MICHAEL STARR
MINISTER

GEORGE V. HAYTHORNE
DEPUTY MINISTER



PROVINCIAL LABOUR STANDARDS

CONCERNING CHILD LABOUR, HOLIDAYS, HOURS OF WORK,
MINIMUM WAGES, EQUAL PAY FOR EQUAL WORK,
WORKMEN'S COMPENSATION, FAIR EMPLOYMENT PRACTICES
AND WEEKLY REST-DAY

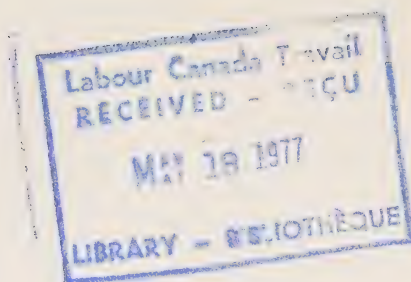


DEPARTMENT OF LABOUR OF CANADA

LEGISLATION BRANCH

HON. MICHAEL STARR
MINISTER

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DEPUTY MINISTER



ROGER DUHAMEL, F.R.S.C.
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FOREWORD

This bulletin, which has been issued annually since 1944 (1957 excepted), sets out the standards which are in effect in the provinces of Canada with respect to child labour, holidays, hours of work, minimum wages, equal pay for equal work, workmen's compensation, fair employment practices and weekly rest-day.

These standards are set out in tables, where appropriate, and in other instances in narrative form. Changes in provincial laws and regulations in 1961 are summarized at the beginning of the bulletin.

The bulletin was prepared by Miss Evelyn Woolner.

Edith Lorentsen,
Director,
Legislation Branch,
Department of Labour.

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CHANGES IN PROVINCIAL LAWS AND REGULATIONS IN 1961

In 1961 changes were made in laws and regulations dealing with the school-leaving age, annual vacations with pay, hours of work, minimum wages, equal pay for equal work and workmen's compensation. The more important of these changes are noted below.

In *Quebec*, an amendment to the Education Act, which will take effect on July 1, 1962, raised the school-leaving age from 14 to 15 years. As before, a child who reaches the school-leaving age during the school year is required to attend school to the end of the school year. In *Ontario*, the section of the Schools Administration Act which permits a child who is 14 years of age to be excused from school attendance if his services are required on his parents' farm was amended to provide that a child who reaches his fourteenth birthday during a school term may not be excused from attendance until the end of that term.

In *Alberta*, the general order governing vacations with pay was revised to provide for an annual vacation of two weeks after a year's employment instead of a vacation of one week after a year's service and two weeks after two years. To qualify for a two weeks' vacation, an employee is required to have worked not less than 90 per cent of the regular working days in the establishment in a 12-month period, instead of 225 days, as formerly. The vacation period is to be included as days worked. An employee must receive his regular pay for each week of his annual vacation. Instead of being given pay in lieu of a vacation, as formerly, an employee who has been employed for a year but has not met the prescribed requirements for a year's service must be given a vacation with pay proportionate to the time worked. As before, a worker must have been employed for at least 30 days to be eligible for vacation pay on termination of employment. Payment is now made at the rate of 4 per cent of regular pay for the period of employment.

The *British Columbia* Annual Holidays Act was amended to make it clear that for purposes of calculating vacation pay (4 per cent of the total wages and salary of the employee for the year) "wages" include the vacation pay received in the year.

The coverage of the *Quebec* vacation order (No. 3) was extended to most salesmen paid on a commission basis. Those paid entirely by commission who have worked less than three months for an employer are still excluded.

New regulations were issued under the *Manitoba* Vacations with Pay Act setting out requirements for payment of vacation pay to construction workers by cheque. This method of payment superseded the vacation stamp system on July 1, 1960.

A new hours of work order in *Alberta* extended the 44-hour week, previously in effect in the four largest cities, Edmonton, Calgary, Lethbridge and Medicine Hat, to all centres with a population of over

5,000. In the rest of the province the limits set by the Alberta Labour Act—8 hours in a day and 48 hours in a week—apply.

The *Alberta* Board of Industrial Relations revised its general minimum wage orders, raising minimum wages and removing the differential of \$2 a week between the rates for male and female employees. The new rates are \$34 a week in centres with a population of over 5,000 and \$30 a week in the rest of the province. These rates are applicable to full-time employees of both sexes over the age of 19. Lower rates are set for workers between 18 and 19 years (\$4 a week less than adult rates) and for those under 18 (\$8 a week less than adult rates). Learners' rates, previously set for women workers for a three-month period, were removed from the orders.

In *Quebec*, General Minimum Wage Order 4 was amended, effective from March 11, to set minimum rates for learners during their first six months of employment. Learners must now be paid at least 56 cents an hour in Zone I (Metropolitan Montreal) and 52 cents an hour in Zone II (elsewhere in the province). Inexperienced workers' rates, set without relation to any learning period, were removed in the 1960 revision of the order, learners' rates as above (56 and 52 cents) being set for pieceworkers and hospital employees only.

In *Prince Edward Island*, an order was made under the Women's Minimum Wage Act, effective from November 1, setting a minimum wage of \$21 a week for waitresses and \$23 a week for cashiers in restaurants in the Town of Summerside and within a five-mile radius. In addition to the minimum wage, waitresses and cashiers covered by the order must be given a free full-course meal for each four hours worked. Learners' rates of \$18 a week for waitresses and \$20 a week for cashiers apply during a 60-day period from the date of hiring. For any work done after 48 hours in a week, or after the normal workweek of the establishment, if less than 48 hours, an overtime rate of time and one-half must be paid.

New Brunswick became the eighth province to enact legislation prohibiting discrimination against women workers in rates of pay on grounds of sex. The Female Employees Fair Remuneration Act resembles the Acts of Ontario and several other provinces in defining equal work as "the same work done in the same establishment".

Under Workmen's Compensation Acts, the maximum annual earnings on which compensation may be paid were increased from \$3,000 to \$4,000 in *Newfoundland* and *Prince Edward Island*, from \$4,000 to \$5,000 in *Alberta* and from \$4,500 to \$5,000 in *Manitoba*. In all provinces compensation for disability is paid at the rate of 75 per cent of average earnings, disregarding any excess of annual earnings above the ceiling provided in the Act. The ceiling in the various Acts now ranges from \$3,600 to \$6,000.

In *Alberta*, the minimum payment of compensation for temporary total or permanent total disability was increased from \$25 to \$35 a week or average earnings, if less. A *Nova Scotia* amendment raised the minimum

compensation payment for permanent total disability from \$100 to \$110 a month and made the new rate applicable to both past and future accidents. This minimum is applicable only in certain cases of permanent total disability. The minimum payment which may be made to a totally disabled workman with more than one dependent child under 16 is the amount of compensation payable to a widow with the same number of dependent children.

Benefits in fatal cases were increased in *Alberta*, *Newfoundland* and *Prince Edward Island*.

The maximum allowance for funeral expenses was increased from \$200 to \$250 in *Alberta*, and from \$200 to \$300 in *Newfoundland*. Funeral benefits in other provinces vary from \$200 to \$400. Provision was also made in *Alberta* for payment of the cost, up to a maximum of \$50, of a burial plot.

Widows' monthly pensions were raised from \$60 to \$75 in *Alberta* and *Newfoundland* and from \$50 to \$65 in *Prince Edward Island*. In *Alberta* and *Newfoundland*, the increases were made applicable to existing pensioners. The lump sum payment to a widow was increased from \$150 to \$200 in *Alberta* and from \$100 to \$200 in *Newfoundland*.

In *Alberta*, the monthly pension to a dependent child under 16 was raised from \$30 to \$40, and the maximum additional monthly allowance payable at the discretion of the Board to an orphan child under 18 was increased from \$10 to \$25. In *Newfoundland*, increases from \$20 to \$25 a month for a child under 16 in the care of a remaining parent and from \$30 to \$35 for an orphan under 16 were provided for.

The provision in the *Newfoundland* Act stating that the total monthly compensation to dependants may not exceed 75 per cent of the deceased workman's average earnings, subject to a specified minimum payment to widow and children, was amended to increase the minimum from \$130 to \$150.

STATUTORY SCHOOL-LEAVING AGE

In all the provinces there is a compulsory school attendance law, but exemptions are permitted in case of illness, distance from school or lack of accommodation and, except in British Columbia, for home duties and for employment. Provisions as to exemption are shown below. The laws place restrictions on employment of children of school age during school hours.

Nfld.*	P.E.I.	N.S.*	N.B.	Que.*	Ont.*	Man.*	Sask.	Alta.*	B.C.
15. Exemption: with certificate for a stated period, but if child is under 12 for not more than 2 months in a school year, unless with approval of Minister ¹ .	16 unless has completed courses in public school. Attendance required for only 75% of term except in Charlottetown and towns where 90% attendance is required. Exemption: (1) For poverty; (2) If 12, for not more than 6 weeks in year ² .	16, cities and towns, 14 elsewhere but 15 or 16 may be fixed locally. Exemption: (1) If 12, for not more than 6 weeks in year ³ ; (2) If 13, with employment certificate. Medical certificate may be required.	16 unless has passed grade 11. 14 by resolution in rural districts unless has passed grade 8. Exemption: Not more than 6 weeks in term ⁴ .	14 unless has completed elementary school. 15, from July 1, 1962. Exemption: Not more than 6 weeks in year ⁴ .	16 unless has completed secondary school or equivalent. Exemption: under 14, for not more than 6 weeks in term ⁴ ; 14-16, if home permit or employment certificate granted. Home sary in rural districts but child reaching 14 years during school term must attend school to end of that term.	16, may be fixed by district. 14 otherwise, but 16 if not employed in industry, home duties or farm work. Exemption: Over 12, not more than 4 weeks in year ⁵ .	15 unless has passed grade 8. Exemption ¹ .	15 unless has passed grade 9 or equivalent. Exemption: Not more than 6 weeks in term ⁴ .	15 unless has completed course at nearest public school and transport to higher school not provided.

* Child reaching school-leaving age required to attend school to end of school year in Newfoundland, Nova Scotia, Ontario and Quebec, to end of term in Manitoba, and in Alberta, to end of June term if age reached in that term.

¹ If services needed for maintenance of self or others.

² If services needed in husbandry or other necessary employment.

³ If services needed in farming, home duties or other necessary employment.

⁴ If services needed in farming, home duties, maintenance of self or others.

⁵ If services needed in husbandry or home duties.

MINIMUM AGE FOR EMPLOYMENT

The minimum age for employment set by mines Acts and other provincial legislation (child labour laws, the Alberta Labour Act, the Manitoba Employment Standards Act, factory laws and minimum wage orders) is set out below. In most provinces the legislation (apart from mines Acts) covers certain other classes of establishments as well as those set out in the table. The Canada Shipping Act fixes a minimum age of 15 for employment at sea. No minimum age has been established for employment in agriculture.

Establishment	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
MINES	18, below ground	—	Coal: 18, below Metal: 16, above 18, below	Coal: — above 16, below Metal: 16, above 18, below	— above 15, below	16, above 18, below	16, above 18, below	Coal: 16 Metal: 16, above 18, below	17, above 17, below	Coal: 16, above 17, below Metal: 15, above 18, below
FACTORIES	—	15	14 ¹	16 except with permit	14 ^{2,3,4}	14 ¹	15	16	15	15 except with permit
SHOPS	—	—	—	16 except with permit	14 ^{2,3}	14 ¹	15 except with permit	—	15 ⁵	15 except with permit
HOTELS RESTAURANTS	—	—	14	16 except with permit	—	14 ¹ (restaurants only)	15 except with permit	16	15	15 except with permit

¹ 16 from 8 a.m. to 5 p.m. except with employment certificate or except on school holidays.

² The Government may exempt establishments from the Act.

³ 16 unless able to read and write fluently or attending night school. Permit from Provincial Employment Service required for employment between 14 and 16 years.

⁴ For certain dangerous trades, the minimum age is 18 for boys; for others, it is 16 for boys and 18 for girls.

⁵ Minimum age of 12 years in certain occupations, including work as clerk, delivery boy or delivery girl in retail store, with written consent of parent and subject to restrictions on hours (2 hours on a school day, 8 hours on any other day) if not injurious to life, limbs, health, education or morals.

ANNUAL VACATIONS WITH PAY

Annual vacations with pay are provided for by law in Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan. Provision for annual vacations with pay is made in Alberta in the Alberta Labour Act and in orders under it; in Ontario in the Hours of Work and Vacations with Pay Act and regulations; and in Quebec in Order 3 under the Minimum Wage Act and in most decrees* under the Collective Agreement Act. In the other provinces annual vacations with pay are provided for in separate statutes.

The New Brunswick Vacation Pay Act applies only to mining, construction, and the processing, canning and packing of fish, vegetables and fruit. In the seven provinces which have Acts or orders of general application most workers are covered, with the exceptions noted below.

Farm workers are excluded in all provinces. Persons employed in horticulture in British Columbia, in growing flowers, fruits and vegetables in Ontario, and in ranching and market gardening in Manitoba and Saskatchewan are also excluded. Domestic servants are exempted in all provinces but Manitoba and Saskatchewan. Professional workers are excluded in British Columbia and Ontario, employees of municipal and school corporations in Quebec, persons engaged in funeral directing and embalming in Ontario and workers employed in lumbering and commercial fishing in Nova Scotia. Salesmen are excluded in Alberta, Ontario and Quebec but in Quebec the exclusion is limited to those with less than three months' service. In addition to the groups already mentioned, apartment house janitors, caretakers provided with free lodgings, home-workers, part-time workers working three hours or less in a day and a few other groups are excluded in Quebec. Also excepted are the large group of workers governed by decrees under the Collective Agreement Act (see footnote below). The Manitoba Act excludes independent contractors, and employees of railway and express companies under federal jurisdiction. Workers governed by a collective agreement in British Columbia are exempted from the Act if the Minister of Labour approves the vacation provisions of the agreement.

In New Brunswick, Nova Scotia, Ontario and Quebec, a worker is entitled to a vacation with pay of one week after a year of employment; in Alberta, British Columbia, Manitoba and Saskatchewan, an employee is entitled to a two weeks' vacation with pay after working one year. The Saskatchewan Act further provides for a three weeks' vacation after five years' service with the same employer. An employee whose service with an employer has not been continuous is eligible for a three weeks' vacation

* Provisions for an annual vacation with pay or pay in lieu of a vacation vary in the approximately 100 decrees in effect under the Collective Agreement Act and are not dealt with in this bulletin. The Department of Labour or Minimum Wage Commission has no jurisdiction with respect to the administration and enforcement of the decrees, which are under the supervision of the parity committee concerned. The legislation described above is Minimum Wage Order 3. Order 39 of the Minimum Wage Commission governing forest operations provides for vacation pay at the rate of 2 per cent of earnings for any worker who works at least 50 days within a four-month period for the same employer.

after five "accumulated" years of employment, if no break in his service has exceeded 6 months (182 days). The Saskatchewan Act also provides that a system of cumulative vacations may be established by regulations, under which an employee may, by agreement with his employer and with the approval of the Minister, postpone one week of his vacation each year for a period not exceeding four years.

The length of the vacation period and the vacation pay requirements in the various provinces are shown in the table below.

	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Length of Annual Vacation	1 week	1 week ¹	1 week	1 week	2 weeks	2 weeks; 3 weeks after 5 years' service	2 weeks	2 weeks
Vacation Pay	2% of annual earnings	2% of annual earnings	Regular pay if paid by the week or longer period; otherwise 2% of annual earnings	2% of annual earnings	Regular pay	1/26 of annual earnings in first four years; 3/52 of annual earnings after fifth year	Regular pay	4% of annual earnings

¹ In construction, mining, and the processing, canning and packing of fish, vegetables and fruit.

The employer may determine the time when each of his employees may take the annual vacation provided for, within certain limits laid down by law. The vacation must be given in New Brunswick not later than 4 months after the working year ends; in Saskatchewan *within* 10 months, and in British Columbia, Manitoba, Nova Scotia and Ontario, *not later than* 10 months, after the date on which the employee becomes entitled to a vacation; in Alberta not later than 12 months after the date on which the employee becomes entitled to a vacation; and in Quebec within 12 months after May 1 of every year.

In Quebec, if a worker has worked less than a year, he is entitled to a half-day for each calendar month of employment; in Saskatchewan, a worker with less than a year's service with his employer may be given one day for each month.

An employee who has been employed for a year but has not met the prescribed work requirements for a year's service is entitled to a vacation proportionate to the time worked in Alberta and to vacation pay in British Columbia and Nova Scotia. To meet the prescribed requirements for a year's service a worker must have worked not less than 90 per cent of the regular working days in the establishment during a year in Alberta, not less than 225 days in British Columbia, and not less than 90 per cent of regular

working hours in Nova Scotia. Where a worker has worked less than the prescribed working time and continues to work for the same employer, he must be given an annual vacation on a pro rata basis in Alberta, and vacation pay for the period worked in British Columbia and Nova Scotia (4 per cent of earnings in British Columbia, 2 per cent in Nova Scotia). The vacation pay is payable within a month after the anniversary date of the workman's employment. A worker in the construction industry in Ontario whose employment with his employer extends beyond June 30 must be given vacation stamps on that date equal in value to 2 per cent of his earnings during the preceding period of employment. A worker in construction or mining or in the canning and packing industries in New Brunswick who has worked for his employer for less than a year and continues to be employed must be given the requisite amount of vacation stamps, equal in value to 2 per cent of his earnings, not later than four months after the year ends.

If employment is terminated **during** a working year, the worker is entitled to vacation pay for the period of employment in Alberta, British Columbia, Nova Scotia, Quebec and Saskatchewan. In New Brunswick and Ontario, a worker who ceases to be employed before working a full year is entitled to vacation pay credits in the form of stamps. A worker must have been employed for at least 30 days in Alberta and for at least three months in Nova Scotia in order to be eligible for vacation pay. In Ontario, an employee who leaves his employment of his own accord must have been employed for at least three months in order to qualify for vacation credit; where, however, the employment is terminated by the employer, the employee must be given vacation credit for whatever time he has been employed. Payment is made at the rate of 4 per cent of regular pay in Alberta, 4 per cent of earnings in British Columbia, 1/26 or 3/52 of earnings, depending on the year of employment, in Saskatchewan, and 2 per cent of earnings in the other provinces.

A stamp system of vacation pay credits is in effect in Alberta, New Brunswick, Nova Scotia, Ontario and Quebec for workers in the construction industry who are frequently employed by several employers during a year. In Ontario, the stamp system is used in any industry under the Act if employment is terminated during a working year. It is also in effect in New Brunswick in mining and in the canning and packing industries for employees who cease to be employed before completing a year of employment.

In British Columbia, the administrative board has authority to establish a system of vacation credits, and in the provinces in which the stamp system is now used in the construction industry only, a wider use of the stamp system is authorized. In Alberta, an employer in any industry other than construction may, with the approval of the administrative board, adopt the vacation stamp system. In Nova Scotia, vacation stamps may be used in any industry designated by the Lieutenant-Governor in Council, and in Quebec they may be used in any industry other than the building construction

industry, if the employer and his employees so agree.

Under the vacation stamp system, the employer affixes vacation with pay stamps to the worker's stamp book at the end of each pay period in Alberta and Quebec, or in New Brunswick, Nova Scotia and Ontario, when the employment ends. In Ontario, stamps must be affixed within 10 days after the worker presents his book; in Nova Scotia, the employer must furnish the worker with a stamp book within 10 days after his employment is terminated and affix to the book the requisite amount of stamps. Stamps are equivalent in value to 2 per cent of the worker's earnings in New Brunswick, Nova Scotia, Ontario and Quebec and to 4 per cent in Alberta.

The worker cashes his stamps at a savings bank or, in Quebec, at the office of the Minimum Wage Commission. Stamps may be exchanged for their cash value after May 1 in each year in Quebec, and after June 30 in New Brunswick and Ontario. In Alberta, an employee may obtain the cash equivalent of his vacation credits at any time within the 12 months beginning on January 15 in each year, and in Nova Scotia, an employee may cash his stamps at any time after the anniversary date of his employment.

In Manitoba, the vacation stamp system previously in effect for transitory employees in the construction industry in the Greater Winnipeg area was replaced from July 1, 1960, by a system of cheques issued by the Department of Labour annually.

Under this system, an employer is required to make payment of vacation pay credits (4 per cent of the wages earned in the pay period) to the Minister of Labour within five days after each regular pay-day or within such other time as may be prescribed. Upon request, the Minister may authorize the remittance of vacation pay credits within 15 days after the end of the month in which wages were earned.

With the remittance, the employer must furnish specified information for departmental records, including the name and address of the employer, the name of each employee, his unemployment insurance number or the departmental number assigned to him, amount of wages exclusive of overtime earned during the pay period, and vacation pay credits for the period. The employer is also required to give written notice to the employee of the amount of vacation pay credited to his account. Vacation moneys are deposited in a special division of the Consolidated Fund.

Payment of vacation pay to the employee is made by cheque after the first day of July in each year. The cheque, representing the accumulated vacation pay credits of the employee, less a charge for administrative costs, is sent to the employer reporting a vacation pay credit for the employee for the last pay period in the month of June.

An unemployed construction worker in the Greater Winnipeg area who is registered with the National Employment Service but has not been directed to a job and who has exhausted his unemployment insurance benefits may obtain his vacation pay at any time after November 30 in any year.

A minimum wage order in Prince Edward Island, effective from November 1, requires women employed as waitresses and cashiers in restaurants in the Town of Summerside and within a five-mile radius to be granted a week's vacation with full pay after a year of continuous employment and a two weeks' vacation after two years' service.

PUBLIC HOLIDAYS

Only two provinces, Manitoba and Saskatchewan, have provisions of general application dealing with public holidays.

In Saskatchewan, the Minimum Wage Board, acting under authority conferred on it by the Legislature in 1947, requires full-time employees who do not work on any of eight public holidays to be paid their regular pay. The eight holidays are New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, Remembrance Day and Christmas Day.

If required to work on a holiday, employees in all workplaces except hotels, restaurants, hospitals, nursing homes and educational institutions must receive, in addition to their regular pay for the holiday, time and one-half the regular rate for every hour or part of an hour worked, in effect, two and one-half times their regular pay.

Full-time workers in hotels, restaurants, hospitals, nursing homes and educational institutions who are required to work on a holiday must be paid, in addition to their regular pay, wages at the regular rate or they may be granted equivalent time off at regular rates within four weeks.

When Christmas or New Year's Day falls on Sunday, the requirements set out above apply to the following Monday. They also apply when the Monday following Remembrance Day is declared a holiday. By agreement between an employer and a trade union representing a majority of the employees in an appropriate bargaining unit, another working day may be substituted for any of the eight listed holidays.

The Manitoba provisions, which were enacted in 1951 and which are now contained in the Employment Standards Act, prohibit work on specified public holidays unless an overtime rate is paid.

In all employment except farming, subject to the exceptions noted below, workers are entitled to time and one-half their regular rate if required to work on seven "general holidays" — New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day and Christmas Day.

For workers employed in a continuously operating plant, a seasonal industry, a place of amusement, a gasoline service station, a hospital, a hotel or a restaurant, or in domestic service, compensatory time off may be substituted, in accordance with custom or agreement. Domestic servants may be granted two half-days off in lieu of a holiday.

By a special Act, Remembrance Day has been declared a public holiday in Manitoba. Except in farming and certain essential services, work may not be performed except by permit from the Minister of Labour. Overtime provisions are not applicable on Remembrance Day. Any employee, other than a watchman, furnace tender or janitor, who is required to work and who is paid at his regular rate of pay must be granted equivalent compensatory time off, without loss of pay, within 30 days.

Provisions in minimum wage orders in Nova Scotia, Prince Edward Island, Manitoba and Alberta deal with the question of pay for public holidays to the extent of prohibiting deductions from the minimum wage for time not worked on a holiday.

Nova Scotia minimum wage orders, which are applicable to women workers only, prohibit any deduction from the minimum weekly wage for time not worked because of public holidays, if an employee has worked all the scheduled working days in the week during which the holiday occurs, and, in the case of a holiday falling on Monday, if she worked the last scheduled working day immediately before the holiday.

The Prince Edward Island minimum wage order applying to women employed as waitresses and cashiers in restaurants in the Town of Summerside and within a five-mile radius contains a provision similar to that in the Nova Scotia orders noted above. It provides, in addition, that a waitress or cashier who is required to work on a public holiday must be granted a day off without deduction within 14 days.

In Manitoba, both men and women workers are protected against a reduction in the minimum weekly wage for time not worked on a general holiday (as listed above) which falls on a regular working day. Where an employee does not work on a holiday but does work the regularly scheduled hours on all the other working days in the week, it is to be presumed, for the purpose of determining the minimum amount of wages to be paid to the employee for that week, that he worked regular hours on the holiday. An employee does not lose the benefits of this provision through being absent on either the day before or the day after the holiday because of established illness or with the employer's consent.

The Alberta minimum wage orders forbid an employer to reduce the wages of a full-time employee of either sex below the prescribed minimum wage by making a deduction for time not worked on a holiday when the employer's place of business is closed. In any minimum wage order the Board may provide that for work done on a holiday the overtime rate must be paid.

The Factories Act of British Columbia makes it mandatory for factories, with the exception of certain continuous industries, to close on specified public holidays unless the inspector gives permission for employment, but it does not deal with the question of pay for the holidays. The establishments for which a permit is not required are those engaged in the production

of light, heat or power, railway and street railway repair shops, metallurgical works, bakeshops in a municipality, milk processing and distributing plants, oil refineries, factories manufacturing cement, glass or chemicals, and laundries operated in conjunction with hospitals.

Public holidays, under the Factories Act, include Christmas, New Year's Day, Victoria Day, Dominion Day, Labour Day, Remembrance Day, any day declared to be a public holiday by Proclamation, and, at the option of the employer, either Good Friday or Easter Monday. Boxing Day (December 26) and Thanksgiving Day are proclaimed each year as holidays under the Factories Act.

Shops in all municipalities in British Columbia must be closed on the holidays listed above, including both Good Friday and Easter Monday, and on Boxing Day, the Queen's Birthday and Thanksgiving Day. There is also legislation in Newfoundland requiring shops to be closed on specified public holidays in St. John's, Exploits Valley, and certain proclaimed shop-closing areas.

Provisions prohibiting work on specified public holidays except with permit, stipulating that certain holidays must be observed as paid holidays, or requiring the payment of an overtime rate for work done on specified holidays are regular features of the decrees under the Quebec Collective Agreement Act and of industrial standards schedules in Alberta, New Brunswick, Nova Scotia, Ontario and Saskatchewan. These provisions, while regulating a considerable portion of industry, particularly in Quebec, apply only to certain trades and areas in the province concerned. They are not dealt with in this bulletin.

MAXIMUM HOURS OF WORK

Five provinces have Acts of general application limiting working hours (the Alberta Labour Act, Part I; the British Columbia Hours of Work Act; the Manitoba Employment Standards Act, Part III; the Ontario Hours of Work and Vacations with Pay Act; and the Saskatchewan Hours of Work Act).

These Acts are of two types. Those of Alberta, British Columbia and Ontario set daily and weekly limits on hours, and provide that work may not continue beyond these limits without the permission of the administrative authority. The Manitoba and Saskatchewan Acts do not, strictly speaking, impose limits on hours. They provide instead that time and one-half the regular rate must be paid where work is carried on beyond specified daily or weekly hours (in Manitoba, after 8 and 48 hours for men and 44 hours for women; in Saskatchewan, after 8 and 44 hours). A 1958 amendment to the Saskatchewan Act, however, empowered the Lieutenant-Governor in Council to limit daily hours in any class of employment. Where any such regulation is made governing a particular occupation, work beyond 12 hours in a day is prohibited, unless authorized in writing by the Minister of Labour.

Exemptions from the standards imposed are permitted under all the Acts.

In Alberta, an order made under the Alberta Labour Act limits working hours in all centres with a population of over 5,000 to 8 in a day and 44 in a week. In the rest of the province the 8 and 48-hour limits set by the Act apply. The British Columbia Act sets a maximum of 8 hours in a day and 44 hours in a week. In both Alberta and British Columbia, the administrative board has statutory power to permit exceptions and where it permits hours limits to be exceeded it may fix the minimum wage payable for overtime. In both provinces the board has made special orders for some industries, exempting workers entirely from hours limitations or permitting them to work a maximum number of additional hours, subject to definite overtime pay requirements.

The Ontario Act limits working hours to 8 in a day and 48 in a week. Provision is made in a general order for the working of overtime in any establishment, with the approval of the administrative board, to the extent of 100 hours in each year for each employee. Engineers, watchmen, firemen, shippers and other persons engaged in non-productive work may, with board approval, work 12 hours' overtime in each week.

In Saskatchewan, it has been necessary to provide for some relaxation of the provisions of the Act, and regulations permit a 48-hour week to be worked in workplaces, other than factories, in the smaller centres before overtime rates apply. Other regulations permit hours to be averaged over a specified period, thus allowing some variation from week to week. Certain classes of employment have been entirely exempted from the Act.

The Manitoba Act applies only in the chief industrial areas of the province. As in other provinces, the administrative board may authorize longer hours under certain circumstances.

Under all the Acts, there is provision for working 9 or more hours in a day in order to establish a 5-day week, provided the weekly maximum is not exceeded. The Acts also stipulate that hours may be exceeded in emergencies.

Maximum hours fixed under hours of work laws and the application of each Act in general terms are set out below.

<u>PROVINCE</u>	<u>DAILY AND WEEKLY LIMITS</u>	<u>APPLICATION</u>
Alta.	8, 44 (centres over 5,000)	All employment except farm labour and domestic service.
	8, 48 (rest of province)	Exceptions allowed for some industries (e.g., trucking, taxicab, lumbering, highway and pipeline construction).

<u>PROVINCE</u>	<u>DAILY AND WEEKLY LIMITS</u>	<u>APPLICATION</u>
B.C.	8, 44	Applies to industries in Schedule, including mining catering manufacturing elevator operators construction hotel clerks barbering truck drivers mercantile bus operators baking Exceptions allowed for some industries (e.g., trucking, logging, fruit and vegetable canning, bus operators).
Ont.	8, 48	Industrial undertakings. Funeral directing, grain elevators, commercial fishing, stevedoring and a few other occupations excluded.
Man.	Limits of 8,48 (men) and 8,44 (women) apply unless time and one-half the regular rate is paid in chief industrial areas of province.	Applies to industries in Schedule, including mining baking manufacturing milk processing barbering and distribu- hairdressing tion offices catering mercantile road transport insurance elevator operators hotel clerks
Sask.	Limits of 8,44 (8,48 in smaller centres) apply unless time and one-half the regular rate is paid.	Most employment. Farm workers, domestic servants in private homes, janitors in residential buildings, logging, fishing and fish-processing, road construction excluded. Exceptions allowed for some industries (e.g., oil truck drivers, newspaper staff, pipeline construction).

Apart from general hours of work laws, working hours are regulated to some extent under other statutes. Schedules under industrial standards legislation in five provinces, the Fair Wage Schedule issued annually under the Manitoba Fair Wage Act and decrees under the Quebec Collective Agreement Act limit hours in construction and other industries. The Manitoba Fair Wage Schedule, which applies to both public and private construction work, has almost province-wide application. Schedules and decrees in the other provinces apply to designated zones; a number apply throughout the province. Generally speaking, maximum weekly hours fixed by schedules and decrees for the construction trades range from 40 to 48 but 50, 54 and 55-hour limits are in effect in some areas of Quebec. In all provinces a 40-hour week is the usual standard for the construction industry in the larger centres. In another industry regulated by schedules and decrees in Ontario and Quebec, the manufacture of men's and ladies' clothing, maximum weekly hours vary from 37-1/2 to 45, with a 40-hour week being the most common standard. A 48-hour week is in effect for the shoe industry in Quebec.

Mining Acts in New Brunswick and Nova Scotia, which set a maximum 8-hour day for underground work in mines, provide the only statutory regulation of hours of work of miners in those provinces; hours of work Acts apply to mining in other provinces. The Quebec Mining Act sets a maximum 48-hour week for work below ground for boys under 17.

In New Brunswick and Quebec, provisions in factory legislation restricting working hours of women and boys under 18 (to 9 and 54 hours in New Brunswick and 10 and 55 hours in Quebec) are still in effect. In Ontario, the limits set by the Factory, Shop and Office Building Act for women and boys under 16 (10 and 60 hours) would apply when an exemption is permitted under the general hours of work law, prohibiting any extension of hours beyond those limits. The Saskatchewan Factories Act prohibits employment of women beyond 48 hours in a week. The Nova Scotia Factories Act limits hours of boys and girls under 16 to 8 in a day and 48 in a week.

In Newfoundland, Acts governing shops fix maximum hours for shop assistants. The St. John's Shops Act limits hours of shop assistants in St. John's and a six-mile radius to 40 in a week unless time and one-half is paid. The same requirement is laid down for shop workers in the Exploits Valley district.

Under fair wage legislation in Ontario and British Columbia, workers employed on projects undertaken under contract with the provincial Government may not work more than 8 hours in a day or 44 hours in a week, except in special circumstances. Under similar legislation in New Brunswick, there is no daily limit on working hours but weekly hours may not exceed 44.

There is also some indirect regulation of hours by virtue of provisions in minimum wage orders requiring the payment of an overtime rate after a specified number of hours of work. Overtime rates fixed under minimum

wage orders are shown on page 20.

Minimum wage orders in Manitoba limit the number of hours of overtime which a woman may work to 3 in a day, 12 in a week and 24 in a month.

MINIMUM WAGE RATES

All the Canadian provinces have minimum wage laws. In Nova Scotia, minimum rates are in effect for women workers only, since the Male Minimum Wage Act, 1945, has not been proclaimed in effect. In Ontario, minimum rates have also been set for women only. In New Brunswick, only one order is in effect for men—that covering the canning industry. Under the Prince Edward Island Women's Minimum Wage Act, 1959, minimum rates have been set for restaurant workers in the Town of Summerside. No rates have yet been established under the 1960 Act applying to male workers.

In Newfoundland, New Brunswick, Saskatchewan and British Columbia, minimum rates apply throughout the province. In the remaining provinces (excluding Prince Edward Island) there are regional differentials in minimum rates. In Nova Scotia and Ontario, the province is divided into three zones for minimum wage-setting purposes; in Quebec, there are now two zones. In Alberta and Manitoba, a distinction is made for minimum wage purposes between urban and rural areas, centres with over 5,000 population in Alberta being classed as urban.

In Nova Scotia, Zone I consists of Halifax, Sydney, Glace Bay, Amherst, Dartmouth, New Glasgow, New Waterford, North Sydney, Sydney Mines and Truro; Zone II comprises Annapolis Royal, Antigonish, Berwick, Bridgetown, Bridgewater, Canso, Clarks' Harbour, Dominion, Digby, Hantsport, Inverness, Kentville, Liverpool, Lockeport, Louisburg, Lunenburg, Mahone Bay, Middleton, Mulgrave, Oxford, Parrsboro, Pictou, Port Hawkesbury, Shelburne, Springhill, Stellarton, Stewiacke, Trenton, Westville, Windsor, Wolfville and Yarmouth; Zone III consists of the rest of the province.

In Ontario, the cities of Toronto, Hamilton, Windsor, Ottawa and London constitute Zone I; centres of 3,000 population and over are included in Zone II; places with under 3,000 population constitute Zone III.

In Quebec, Zone I consists of the Greater Montreal area (including the Island of Montreal, Ile Jesus, Ile Bizard and the County of Chambly); Zone II takes in the remainder of the province.

Minimum wage boards in all provinces except British Columbia and Prince Edward Island issue general or blanket orders setting rates which apply to most workers in the province (or to most female workers in those provinces in which rates are not set for men). There are, in addition, in some provinces one or more special orders setting different rates for a particular industry, occupation or class of workers. The British Columbia board issues a separate order for each industry or occupation.

For purposes of comparison, the minimum rates shown in the three tables which follow are set out not as general rates but as applying to specific workplaces—factories, shops, offices, hotels and restaurants.

Weekly rates are set in some provinces, hourly rates in others.

Only one province, Newfoundland, sets different minimum rates for male and female employees. In the order in British Columbia governing the manufacturing industry different rates have also been established for male and female employees. Most orders in British Columbia, however, set the same rate for both sexes.

In Manitoba, Saskatchewan and Alberta, the boards have set minimum rates for young workers. In Manitoba, a minimum rate of 48 cents an hour is in effect for workers under 18. In Saskatchewan, workers under 18 must be paid at least \$30 a week, \$2 less than the adult rate. In Alberta, adult rates apply to workers over 19. In the larger centres (over 5,000 population) the minimum rate is \$26 a week for workers under 18 and \$30 a week for those between 18 and 19 years. In the remainder of the province the corresponding rates are \$22 and \$26. Minimum rates in Newfoundland orders apply to employees over 17.

1. Minimum Rates for Experienced Workers*

Establishment	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Factories Shops Offices	per hour 35¢ (women) 50¢ (men)	per week —	per week \$21.60, Zone I \$19.20, Zone II \$14.40, Zone III (women only)	per hour 60¢ (women only) 65¢ (male workers in canning or processing of fish, vegetables or fruit)	per hour 70¢, Zone I 64¢, Zone II	per week \$30, Zone I \$28, Zone II \$26, Zone III (women only)	per hour 66¢, cities 61¢, rural	per week \$32	per week \$34 centres over 5,000 population \$30, rest of province	per hour 60¢ (women) 75¢ (men) 65¢ — shops 75¢ — offices
Hotels Restaurants	As above	\$21, waitresses \$23, cashiers in restaurants in Summerside and five-mile radius (women only)	As above ¹	55¢ (women only)	64¢, Zone I 60¢, Zone II	As above	As above	As above	As above	65¢

* For description of zones, see page 16.

¹ Rate applicable to city or town applies to hotels and restaurants within 20 miles between June 1 and September 30.

2. Minimum Rates and Learning Periods for Inexperienced Workers*

Establishment	P.E.I.	N.S.	Que.	Ont.	Man.	B.C.
Factories Shops Offices	per week —	per week During probationary period of 90 days: \$18, Zones I and II (women only)	per hour During first 6 months of employment: 56¢, Zone I 52¢, Zone II	per week During 2 three-month periods: \$26, \$28, Zone I \$24, \$26, Zone II \$22, \$24, Zone III (women only) ¹	per hour Rates and learning period to be set out in permit granted by Minister. Learning period may not exceed 6 months and starting rate must be at least 75% of minimum rate. ²	per hour During 3 two-week periods in factories and shops: 45¢, 50¢, 55¢ During 2 one-month periods in offices: 55¢, 65¢
Hotels Restaurants	During probationary period of 60 days: \$18, waitresses \$20, cashiers in restaurants in Summerside and five-mile radius (women only)	As above	—	—	As above	—

* For description of zones, see page 16. The Newfoundland, New Brunswick, Saskatchewan and Alberta orders make no provision for lower rates for learners.

¹ Not more than 20% of the women workers in an establishment may be classed as inexperienced.

² The Minister of Labour may fix, at not more than 25%, the percentage of women workers that an employer may employ as learners.

3. Overtime Rates

Establishment	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Factories Shops Offices Hotels Restaurants	For hourly-paid workers, 1½ times the minimum rate after 8 hours and for work on Sunday; for workers paid a fixed weekly or monthly wage, 1½ times the minimum rate after 48 hours.	1½ times the minimum rate after 48 or normal hours, if less, in restaurants in Summerside and five-mile radius (women only).	1½ times the minimum rate after 48 or normal hours, if less, in restaurants (women only).	1½ times the minimum rate (90 cents per hour in factories, shops and offices, 83 cents per hour in hotels and restaurants) after 48 hours (women only).	1½ times the minimum rate after the hours in the "regular workweek". Regular work-week for factories, shops and offices is 48 hours; for hotels and restaurants it is 54 hours. ¹	Pro rata after normal week (women only).	1½ times the minimum rate after 8 and 44 hours (women) and after 48 hours (men). ²	1½ times the regular rate after 8 and 44 hours, ³ but after 48 hours in shops and offices in centres with under 400 population, and after 48 hours in hotels and restaurants in centres other than cities. ⁴	1½ times the regular rate after 9 and 48 hours or after lesser hours prescribed by Board (after 44 hours in centres with over 5,000 population).	1½ times the regular rate after 8 and 44 hours or after hours permitted by Board.

¹ Workers paid on a yearly, monthly or weekly basis at least \$60 a week in Zone I and \$55 in Zone II, whether or not they work a full week, are not entitled to payment for overtime. For description of zones, see page 16.

² Applies only to employment which is not within the scope of Part III of Employment Standards Act (hours of work legislation). The latter applies to the major industries in the chief industrial areas of the province (page 14).

³ Overtime payable after 9 and 44 hours in case of 5-day week.

⁴ Provision for overtime in Saskatchewan is contained in Hours of Work Act and orders.

EQUAL PAY

Eight provinces, Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Prince Edward Island and Saskatchewan, have equal pay laws. The Alberta legislation, enacted in 1957, forms Part VI of the Alberta Labour Act.

The British Columbia, New Brunswick, Nova Scotia, Ontario and Prince Edward Island Acts prohibit an employer from paying a female employee at a rate of pay less than the rate paid to a male employee for *the same work done in the same establishment*. The Saskatchewan Act contains a similar prohibition but refers to *work of comparable character done in the same establishment*. The Manitoba and Alberta statutes are alike in referring to *identical or substantially identical work* but the Manitoba Act differs from the other Acts in that it forbids discrimination against either sex in the payment of wage rates. Under the Manitoba Act an employer is forbidden to pay to the employees of one sex wages on a scale different from that on which wages are paid to employees of the other sex in the same establishment, *if the work required of, and done by, employees of each sex is identical or substantially identical*. The Alberta Act forbids an employer to employ a female employee for any work at a lesser rate of pay than the rate at which he employs a male employee for *identical or substantially identical work*. Differences in rates of pay based on a factor other than sex do not constitute failure to comply with the requirements of the Acts. In all the Acts except that of Alberta, "establishment" is defined as a place of business or the place where an undertaking or part of an undertaking is carried on. The Manitoba, New Brunswick and Saskatchewan Acts were made applicable to provincial government employees.

Under all the Acts, enforcement begins with the filing of a written complaint. In five provinces a person claiming to have been discriminated against may register a complaint with a designated officer of the Department of Labour (in New Brunswick with the Minister, in Alberta with the Chairman of the Board of Industrial Relations and in Prince Edward Island with the Labour Relations Board).

In all provinces except Prince Edward Island the legislation provides for an informal inquiry into a complaint by an officer of the Department of Labour (in Manitoba and Nova Scotia, by an officer of the Department of Labour or any other person). If the officer is unable to effect a settlement of the matter complained of, a board or commission of one or more persons may be appointed to ascertain the facts and to make recommendations in New Brunswick, Nova Scotia, Ontario and Saskatchewan. In Alberta and British Columbia, the matter may be referred to an existing board, the Board of Industrial Relations. Under the Manitoba Act, the second stage of the procedure is the appointment of a referee, who may or may not be an officer

of the Department of Labour, to make an inquiry with a view to the settlement of the complaint and to recommend to the Minister the course that ought to be taken. All these Acts provide that the parties to the complaint must be given full opportunity to present evidence and to make representations. The recommendations of the board, commission or referee, as the case may be, may be put into effect by an order of the Minister of Labour (in Alberta, an order of the Board of Industrial Relations). Compliance with the order is required.

The Prince Edward Island Act authorizes the Labour Relations Board to "inquire into the complaint and endeavour to effect a settlement of the matters complained of". There is no provision in the Act for a Board order, with which compliance is required.

In Manitoba, an information may be laid against an employer who fails to comply with an order of the Minister and the magistrate may order the employer to pay any wages found to be due to the employee. In Alberta, an employer convicted of an offence under the equal pay provisions of the Act is made liable for the payment of whatever additional remuneration the employee would have received if the employer had complied with the Act, subject, however, to a limitation of six months' wages.

In Manitoba, the failure of an employee to lodge a complaint with the Minister within 30 days after receiving his or her first wages at an unlawful scale bars the employee from making a complaint and having it dealt with under the Act.

WORKMEN'S COMPENSATION

All provinces have a workmen's compensation law of the "collective liability" type.

In each province a Workmen's Compensation Act applicable to most industries and occupations provides for the payment of compensation to a workman or his dependants in case of accident or industrial disease arising out of and in the course of employment. The only exceptions are (1) where the workman is disabled for less than a stated number of days, or (2) where the injury is attributable solely to his serious and wilful misconduct and does not result in death or serious disablement.

Compensation is payable by employers collectively. Compensation, medical expenses and other benefits are paid from a provincial Accident Fund built up by annual assessments, in the form of a percentage of payroll, levied on employers covered by the Act. For assessment and compensation purposes, industries are classified according to their hazard and each class is liable for the cost of accidents occurring in that class. No contributions from employees are permitted.

The compensation to which a workman is entitled under the Act takes the place of his right of action, and he may not sue his employer in court for damages for an injury sustained in the course of employment.

Benefits under the Acts include periodic payments to the workman during the period of temporary disablement (in all provinces on the basis of 75 per cent of average earnings, subject to the maximum annual earnings provided in the Act); an award for permanent disability (based on 75 per cent of average earnings) in the form of a monthly pension for life or, when disablement is slight, paid in a lump sum; all necessary medical aid, including hospitalization; and rehabilitation. In case of death by accident, fixed monthly payments are made to dependants. In addition to a monthly pension, a widow receives a lump sum payment and an allowance for funeral expenses.

The benefits payable under the Acts are set out on the following pages.

NOTE: For further information about workmen's compensation laws, see the annual bulletin *WORKMEN'S COMPENSATION IN CANADA* published by the Department of Labour of Canada and available from the Queen's Printer, Ottawa. Price 25 cents.

1. Monthly Benefits to Dependents in Case of Death of Workman

Funeral	Widow or Invalid Widower	Children With Parent	Orphans	Where only dependants are other than consort and child	Maximum
\$300 ⁴	\$75 plus sum of \$200	Under 16, \$25 each ¹	Under 16, \$35 each ¹	NEWFOUNDLAND Sum reasonable and in proportion to pecuniary loss ²	75% of earnings. Minimum \$75 to consort, \$25 to each child or \$35 to orphan child unless total benefits exceed \$150 ³
\$300 ⁴	\$65 plus sum of \$200	Under 16, \$20 each. ¹ Maximum to consort and children, \$170	Under 16, \$30 each. ¹ Maximum \$120	PRINCE EDWARD ISLAND As in Newfoundland. Maximum to parent or parents, \$40. Maximum in all, \$60 ²	75% of earnings but Board may waive the 75% restriction where circumstances require it ³
\$250 ⁴	\$60 plus sum of \$150	Under 16, \$22.50 each. ¹	Under 16, \$30 each. ¹	NOVA SCOTIA As in Newfoundland. Maximum \$45 each. Maximum in all, \$60 ²	
\$300 ⁴	\$60 plus sum of \$100	Under 18, if attend- ing school, \$20 each ¹	Under 18, if attend- ing school, \$40 each ¹	NEW BRUNSWICK As in Newfoundland ²	75% of \$4,000 per year ³
\$400 ⁴	\$75 plus sum of \$300	Under 18, \$25 each ¹	Under 18, \$35 each ¹	QUEBEC As in Newfoundland ²	75% of earnings. Minimum \$100 to consort and one child; \$125 to consort and two children; \$150 to consort and more than two children ³
\$300 ⁴	\$75 plus sum of \$300	Under 16, \$25 each ¹	Under 16, \$35 each ¹	ONTARIO As in Newfoundland Maximum \$100 ²	Average earnings. Minimum \$75 to consort, \$25 to each child or \$35 to orphan child unless total benefits exceed \$150 ³
\$200 ⁴	\$75 plus sum of \$300	Under 16, \$35 each ¹	Under 16, \$45 each ¹	MANITOBA Maximum to wholly dependent mother, \$75. Other dependants-as in Newfoundland. Maximum \$30 each. Maximum in all, \$60 ²	75% of earnings. Minimum \$75 to consort; \$110 to consort and one child; \$145 if more ³

\$250 ⁴	\$100 plus sum of \$300 ⁵	Under 16, \$35 each ¹	SASKATCHEWAN		Average earnings. Minimum \$100 to consort; \$135 to consort and one child; \$170 to consort and two children and \$20 for each additional child ^{3,6}
			Under 16, \$50 each, plus a sum not exceeding \$50 at the discretion of the Board. ¹	As in Newfoundland ²	
\$250 ⁴	\$75 plus sum of \$200	Under 16, \$40 each ¹	ALBERTA		
			Under 16, \$40 each. Additional amount not exceeding \$25 may be paid to any child under 18 ¹	As in Newfoundland. Maximum to parent or parents, \$50. Maximum in all, \$85	
\$250 ⁴	\$90 plus sum of \$250	Under 16, \$35 each ¹ ; if attending school, \$35 between 16 and 18 years	BRITISH COLUMBIA		
			Under 18, \$40 each ¹ ; \$37.50 if able to attend school between 16 and 18 years and not attending	(a) As in Newfoundland. Maximum \$90 to parent or parents. Maximum in all, \$90 (b) If there is widow or invalid widower or orphans, maximum to parent or parents, \$90 ²	

¹ In Alberta, Manitoba, Newfoundland, Nova Scotia, Ontario and Prince Edward Island, payments to children may be made up to 18 years, and in Saskatchewan up to 19 years, if desirable to continue education. In Alberta, Newfoundland and Prince Edward Island, payments to invalid children are continued so long as Board considers workman would have contributed to support. In British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan, payments are continued until recovery.

² Compensation in these cases is continued only so long as Board considers workman would have contributed to support.

³ For maximum earnings that may be reckoned, see Table 2, Column 5.

⁴ For transporting body for burial, a maximum of \$150 in Quebec, of \$125 in Newfoundland and New Brunswick and of \$100 in Alberta, British Columbia, Nova Scotia and Prince Edward Island may be paid. No maximum is specified in Ontario and Saskatchewan. In Manitoba, the Board may pay transportation expenses within the province and part of expenses if the body is moved into or from the province. In Alberta and British Columbia, only transportation expenses within the province are allowed. In Alberta, Manitoba and Saskatchewan, compensation may include payment for burial plot, not exceeding \$50.

⁵ Monthly pension of \$75 after the age of 70.

⁶ If consort is over 70, amounts are \$75, \$110 and \$145, respectively.

2. Benefits in Case of Disability

Total	PERMANENT		TEMPORARY		Maximum Earnings Reckoned
	Partial	Total	Partial	Partial	
75% of earnings. Minimum \$65 per month or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	NEWFOUNDLAND 75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident, for duration of disability ^{1,2}		\$4,000 per an.
75% of earnings. Minimum \$20 per wk. or earnings, if less ³	PRINCE EDWARD ISLAND 75% of difference in earnings before and after accident or compensation may be based on impaired earning capacity estimated from the nature of the injury ^{1,2,3}	75% of earnings for duration of disability. Minimum \$20 per wk. or earnings, if less ³	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ^{1,2,3}		\$4,000 per an. (effective from Jan. 1, 1962)
75% of earnings. Minimum \$10 per month or, if the workman has more than one child under 16, the amount which a widow with the same number of children would receive	75% of difference in earnings before and after accident or compensation may be based on impaired earning capacity estimated from the nature of the injury. If disability 25% or more, average earnings must be taken as not less than \$18.75 per wk. ¹	NOVA SCOTIA 75% of earnings for duration of disability. Minimum \$20 per wk. or earnings, if less	75% of difference in earnings before and after accident for duration of disability ^{1,2}		\$3,600 per an.
Average earnings but not in excess of 75% of \$4,000	Amount determined by Board, based on impaired earning capacity ¹	NEW BRUNSWICK 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	If earning capacity diminished by more than 10%, 75% of diminution of earning capacity for duration of disability		\$4,000 per an.
75% of earnings. Minimum \$15 per wk. or earnings, if less	75% of difference in earnings before and after accident or, where possible, compensation may be based on impaired earning capacity estimated from the nature of the injury ^{1,2}	QUEBEC 75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ^{1,2}		\$5,000 per an.

75% of earnings. Minimum \$100 per month or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	ONTARIO 75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	75% of difference in earnings before and after accident for duration of disability ^{1,2}	\$5,000 per an.
75% of earnings. Minimum \$25 per wk. or earnings, if less	75% of difference in earnings before and after accident or, where deemed just, compensation may be based on impaired earning capacity estimated from the nature of the injury ¹	MANITOBA 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ¹	\$5,000 per an.
75% of earnings. ⁴ Minimum \$30 per wk.	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	SASKATCHEWAN 75% of earnings for duration of disability. Minimum \$30 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident, for duration of disability ^{1,2}	\$6,000 per an.
75% of earnings. Minimum \$35 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury ¹	ALBERTA 75% of earnings for duration of disability. Minimum \$35 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury for duration of disability	\$5,000 per an.
75% of earnings. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	BRITISH COLUMBIA 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident for duration of disability ^{1,2}	\$5,000 per an.

¹ If earning capacity is diminished 10% or less (5% or less in Alberta), a lump sum may be given.

² The minimum payable in case of partial disability is the same proportion of the minimum for total disability (see preceding column) as impairment is of full earning capacity.

³ Board may fix compensation on basis of \$15 per week, even though average earnings are less than that amount.

⁴ Where compensation to workman with dependants would be less than \$1,200 a year, Board may increase compensation in respect of dependants by specified monthly amounts. In such cases, total amount payable may not exceed \$1,200 a year.

FAIR EMPLOYMENT PRACTICES

Fair employment practices Acts prohibiting discrimination in hiring and conditions of employment and in trade union membership on grounds of race, colour, religion or national origin are in effect in British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario and Saskatchewan.

In general terms, all the Acts forbid discrimination on grounds of race, colour, religion or national origin. "National origin" in the Manitoba Act, however, is defined to include ancestry, and, in the New Brunswick Act, nationality and ancestry. Instead of "national origin" the British Columbia and Ontario Acts use the wording "nationality, ancestry or place of origin". The Saskatchewan Act specifies "ethnic or national origin" and includes "religious creed" as well as "religion". On any of these grounds an employer may not refuse to employ or discharge any person or discriminate against any person in regard to employment or any term or condition of employment. A trade union is forbidden to exclude any person from membership, to expel or suspend any of its members, or to otherwise discriminate against a member or other person.

All the Acts prohibit the publication of advertisements, the use of application forms, and, except in Manitoba, the making of inquiries, either written or oral, in connection with employment which express any limitation, specification or preference as to race, colour, religion or national origin. The Saskatchewan provisions, as amended in 1959, prohibit any expression of discrimination or of intent to discriminate, and the inclusion in an application form, advertisement or inquiry of any question or request for particulars as to an applicant's race, colour, religion or national origin. The British Columbia, Manitoba, New Brunswick and Saskatchewan Acts allow an exception, however, where a limitation, specification or preference as to race, colour, religion or national origin is based upon a *bona fide* occupational qualification.

The prohibitions noted above are applicable to employment agencies as well as to employers, and the Manitoba, Nova Scotia and Saskatchewan Acts forbid an employer to use an employment agency which practises discrimination against persons seeking employment. In Manitoba, New Brunswick, Nova Scotia and Saskatchewan, employers and trade unions may not discharge, expel or otherwise discriminate against any person for making a complaint under the Act.

The Nova Scotia and Saskatchewan Acts apply to all employers regardless of the number of their employees. Under the other Acts, employers with fewer than five employees are excluded. Except in Nova Scotia, an exemption is provided for domestic servants employed in private homes. Under all the Acts, non-profit charitable, philanthropic, fraternal, religious or social organizations are excluded. The British Columbia Act is expressly stated to apply to schools operating under the Public Schools Act and in Saskatchewan, while educational institutions are covered, the right

of a school or board of trustees to hire persons of a particular religion where religious instruction forms or can form part of the instruction provided is recognized. With these exceptions, educational institutions are excluded. The Manitoba, New Brunswick and Saskatchewan Acts are applicable to provincial government employees.

The provisions for enforcement of the fair employment practices Acts are similar to those contained in the equal pay Acts. Action in all cases is initiated by the filing of a written complaint. The Acts provide first for an informal investigation and, as a second step, for the appointment of a commission of one or more persons to deal with a complaint which is not settled at the earlier stage. In British Columbia, the Board of Industrial Relations acts as a commission of inquiry. Upon receipt of the board's or commission's recommendations, which may include reinstatement, with or without compensation for loss of employment, the Minister may issue an order to put them into effect. Under the Manitoba Act, a person affected by an order of the Minister has the right to appeal to a judge; under the other Acts, the Minister's order is final and must be complied with. Prosecution under the Acts, for which the consent of the Minister is required, may result in a fine.

Educational anti-discrimination programs may be carried on in Manitoba, Nova Scotia and Saskatchewan under the authority given to the Minister to undertake inquiries and other measures to promote the purposes of the Act. In Ontario, a three-member Anti-Discrimination Commission (now Ontario Human Rights Commission) was set up in 1959 to carry on a program of education to promote the elimination of discriminatory practices.

WEEKLY REST-DAY

Eight provinces — Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan — provide for a weekly rest-day but the provisions vary in scope.

The Alberta Labour Act requires all employed persons except farm workers and domestic servants to be given a day of rest immediately following each period of not more than six consecutive days of work, unless the Board of Industrial Relations orders that the hours of rest be allowed in two periods or that a longer period than 24 hours be granted. The Act enables the Board to make special provision for days of rest in continuous industries and permits a consecutive rest period every four weeks or in relation to some other work period which the Board may deem proper. Under this authority the Board has made special provision for accumulated days of rest in the highway construction, geophysical exploration, oil well drilling, oil well service and pipeline construction industries and for cooks, night watchmen, etc., in lumber camps.

Orders under the British Columbia Minimum Wage Acts provide for a rest-period of 32 hours weekly for workers in factories, shops, offices,

hotels and catering, laundries, hospitals, the woodworking industry, ship-building, public places of amusement, for elevator operators, for men in undertaking establishments, for janitors other than resident janitors in apartment buildings, for patrolmen and for bicycle-riders and foot-messengers employed exclusively on delivery. Different arrangements may be made on application of the employer and employees concerned, if the Board approves. Orders governing resident janitors in apartment buildings containing twenty residential suites and over, and employees in resort hotels in unorganized territory during the summer season provide for a weekly rest of 24 hours.

In Manitoba, the weekly-rest legislation applies to the chief industrial areas of the province, including Winnipeg and environs, St. Boniface, Brandon, Portage la Prairie, Transcona, Flin Flon, Selkirk, Snow Lake and Lynn Lake. A weekly day of rest, if possible Sunday, must be granted to employees in mining, manufacturing, shops, offices, catering, barbering and hairdressing, the insurance business, the baking industry, the transport of goods by road, the processing and distribution of milk and its products and to elevator operators and hotel clerks. Exempted are watchmen, janitors and firemen living in the building in which they are employed; persons not usually employed more than five hours in a day; managers and supervisory employees; repair workers in emergencies; and persons employed for not more than three hours on a weekly rest-day merely for the purpose of looking after horses as part of their usual duty. The Minister of Labour is given discretion to exempt particular undertakings for a period of not more than a year.

The New Brunswick Weekly Rest Period Act requires employers to give their employees a weekly rest of at least 24 consecutive hours, to be taken if possible on Sunday. Where a weekly rest is impracticable, the Minister of Labour may permit rest periods to accumulate and to be taken later, either part at a time or all together. The only employees not covered are farm workers, employees required to cope with an emergency and part-time workers who are not usually employed more than five hours in a day. Certain groups of employees and certain employers may be designated by the Lieutenant-Governor in Council as being outside the scope of the Act.

In Nova Scotia, every employer in mining, manufacturing and construction is required to grant his employees a weekly rest of at least 24 hours. Wherever possible, the period of rest must be on Sunday and must be granted simultaneously to the whole of the staff of each undertaking.

In Ontario, in cities of 10,000 or more people, workers in hotels and restaurants must be allowed a weekly rest-day, Sunday if possible. Watchmen, janitors, foremen, and those employed for five hours or less in a day are exempted.

In Quebec, Minimum Wage Order 4, applying generally to all industries within the scope of the Act not covered by special orders, provides for a

weekly rest of 24 hours or two periods of 18 consecutive hours each for the employees covered by its provisions. Farm workers, domestic servants and employees covered by decrees under the Collective Agreement Act are the only workers not within the scope of the Minimum Wage Act. The three special minimum wage orders contain the same provision as Order 4, excluding only a few classes of workers in forest operations, caretakers provided with free lodgings in hotels, restaurants and hospitals, and employees of real estate undertakings. Under the Quebec Weekly Day of Rest Act, persons employed in hotels, restaurants or clubs in places of at least 3,000 population must have 24 consecutive hours' rest in a week. In the Quebec district, the inspector may permit two periods of 18 consecutive hours each instead of one 24-hour period. Where there is only one cook, the 24-hour rest may be replaced by two 12-hour periods.

The Saskatchewan statute provides for a weekly rest of at least 24 hours, wherever possible on Sunday, for the employees of any employer covered by an order of the Minimum Wage Board. (Only agriculture, domestic service and a few other occupations are not covered by minimum wage orders.) Exempted are managers, employees not usually working for more than five hours in a day, and repair men in emergencies. The Minister of Labour may exempt particular employers for not more than one year. Any specified class of employers may be excluded by Order in Council, subject to such conditions as may be prescribed.

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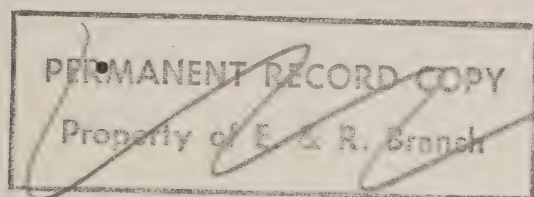
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PROVINCIAL LABOUR STANDARDS



DECEMBER, 1962

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DEPARTMENT OF LABOUR OF CANADA

LEGISLATION BRANCH

HON. MICHAEL STARR
MINISTER

GEORGE V. HAYTHORNE
DEPUTY MINISTER

Price 25 cents



PROVINCIAL LABOUR STANDARDS

CONCERNING CHILD LABOUR, HOLIDAYS, HOURS OF WORK,
MINIMUM WAGES, EQUAL PAY FOR EQUAL WORK,
WORKMEN'S COMPENSATION, FAIR EMPLOYMENT PRACTICES
AND WEEKLY REST-DAY

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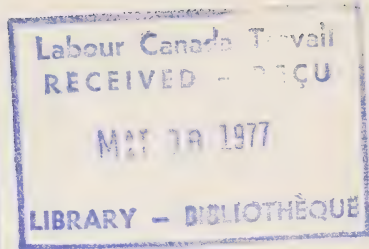


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FOREWORD

This bulletin, which has been issued annually since 1944 (1957 excepted), sets out the standards which are in effect in the provinces of Canada with respect to child labour, holidays, hours of work, minimum wages, equal pay for equal work, workmen's compensation, fair employment practices and weekly rest-day. For the first time the standards set by labour Ordinances of the Yukon and Northwest Territories are included.

These standards are set out in tables, where appropriate, and in other instances in narrative form. Changes in provincial laws and regulations in 1962 are summarized at the beginning of the bulletin.

The standards noted are those in effect in December, 1962, but changes which were approved during the year to take effect from January 1, 1963, are included.

The bulletin was prepared by Miss Evelyn Woolner.

Edith Lorentsen,
Director,
Legislation Branch,
Department of Labour.

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CHANGES IN PROVINCIAL LAWS AND REGULATIONS IN 1962

In 1962 changes were made in laws and regulations dealing with annual vacations with pay, minimum wage rates, workmen's compensation and weekly rest-day. The more important of these changes are summarized below.

The principal change with respect to annual vacations with pay was that two provinces—*New Brunswick* and *Quebec*—abolished the stamp system by which employees whose employment was not continuous received vacation pay. In these provinces vacation pay will now be paid in cash or by cheque.

In *New Brunswick*, a new Vacation Pay Act, abolishing the stamp system, went into force on July 1. The Act now applies to the peat-moss industry, which was not previously covered, as well as to mining, construction, and the processing, canning and packing of fish, vegetables and fruit. Employees who work less than six days or shifts in a vacation pay year are exempted.

The Act provides, as before, for a week's vacation with pay at the rate of 2 per cent of earnings after a year's service. To qualify for a vacation, an employee must have worked at least 225 working days or shifts in a vacation pay year (July 1 to June 30). If at the end of the vacation pay year an employee has not worked the 225 days or shifts needed to qualify for a vacation and continues to be employed by the same employer, he is entitled to vacation pay (2 per cent of earnings), which must be paid to him within one month after June 30. Vacation pay is also payable on termination of employment. The employee must receive his vacation pay within one month after employment ends.

In *Quebec*, the Minimum Wage Commission revised Order 3, which provides for annual vacations with pay, effective from July 14, dropping the vacation stamp system previously provided for manual workers in the building construction industry.

As before, an employee must be granted an annual vacation of at least a week after a year's service. The vacation must now be given within 6 months, instead of within 12 months, after May 1. On leaving his employment, an employee is entitled to vacation pay at the rate of 2 per cent of his earnings from the May 1 preceding the termination of his services, unless he was granted at least two weeks' paid vacation in the 12 months preceding the date of termination of his employment.

Six decrees under the *Quebec* Collective Agreement Act governing the construction industry were also amended to remove vacation stamp provisions.

Amendments to *Quebec* Minimum Wage Order 39 governing forest operations provided that all forestry workers covered by the Order except those governed by an existing collective agreement containing vacation provisions must be given vacation pay equal to 2 per cent of earnings on termination

of employment. Previously, only workers who had worked at least 50 days in a four-month period for the same employer were entitled to vacation pay.

The *Saskatchewan* Minimum Wage Board issued new minimum wage orders, effective from July 1, increasing minimum rates for the ten cities of the province by \$2 a week for full-time workers and 5 cents an hour for part-time but leaving rates for the remainder of the province unchanged. The new rates for adult workers are \$34 a week for full-time employees (those whose working hours are 36 or more per week) and 90 cents an hour for part-time workers (those who work less than 36 hours in a week). In areas other than the cities, minimum rates remain \$32 a week and 85 cents an hour. The revision restores a differential between urban and rural rates which was maintained until 1960, when the orders were amended to establish the same rates for workers throughout the province. As before, rates \$2 a week less than the full minimum are set for workers under 18 years of age.

New orders raising minimum wages in the manufacturing, mercantile, and hotel and catering industries to \$1 an hour were issued by the *British Columbia* Board of Industrial Relations on November 13, to take effect on January 1, 1963. The orders provide, however, that employees in these industries may be paid at lesser rates during the first three months of their employment. A month's employment is defined as a period of 22 working shifts.

Under the new orders, an employer is permitted to pay an employee 85 cents an hour during the first month's employment in the industry, 90 cents an hour during the second month's employment, and 95 cents an hour during the third month's employment. Thereafter the full minimum rate of \$1 an hour must be paid.

In the manufacturing order the differential between male and female rates has been removed. The former factory order provided that, subject to the provisions of the Equal Pay Act, the minimum rate for male employees was 75 cents an hour, and for female employees 60 cents an hour. The former rate for shops, hotels and restaurants was 65 cents an hour. Garment workers are covered by the order for the manufacturing industry.

A new feature of the orders is that they require payment of time and one-half the employee's regular rate of pay after 8 hours in a day or 40 hours in a week in factories, shops, hotels and restaurants, whereas under the former orders payment of the overtime rate was required after 8 hours in a day or 44 hours in a week. One exception is provided for, permitting, under certain circumstances, payment of time and one-half the regular rate after an average of 40 hours in a week. Overtime permits are not required until 8 hours in a day or 44 hours in a week are to be exceeded. The principle of paying overtime after 40 hours in a week is already embodied in other orders of the Board, including the order for the construction industry.

In *Prince Edward Island*, a second minimum wage order made under the Women's Minimum Wage Act went into effect in January, 1962, establishing a weekly minimum of \$21 for waitresses and \$16 for other female restaurant workers in the City of Charlottetown and a five-mile radius. In addition to the minimum wage, workers covered by the order must be given a free full-course meal for every four hours worked. A learner's rate of \$18 a week may be paid to a waitress during the first 30 days of her employment. Any hours worked in excess of 48 in a week or in excess of the regular workweek, if less than 48 hours, are to be paid for at the rate of time and one-half. Like the earlier order for restaurant workers in Summerside and district, the order also dealt with statutory holidays, sick leave and annual vacations.

In *Alberta*, an order of the Board of Industrial Relations, effective from February 28, set learners' rates for women employed in the garment industry, covering a period of eight weeks. In centres with over 5,000 population an inexperienced employee in the garment industry must be paid not less than \$28 a week in the first four weeks of her employment and \$30 a week for the second four-week period. In other parts of the province the corresponding rates are \$24 and \$26 a week. After eight weeks' employment, the regular minimum rates of \$34 a week in centres with a population of over 5,000 and \$30 elsewhere apply. Not more than 25 per cent of the workers employed by an employer in the garment industry may be paid learners' rates. Before paying learners' rates, an employer is required to obtain a permit from the Board. Previous to 1961, learners' rates, applicable for a three-month learning period, were set for most women workers in the province.

The Workmen's Compensation Acts of five provinces were amended. The maximum annual earnings on which compensation may be paid were increased from \$3,600 to \$4,200 in *Nova Scotia* and from \$4,000 to \$5,000 in *Prince Edward Island*, the new ceiling in *Prince Edward Island* to take effect from January 1, 1963. The lowest maximum set by any province is now \$4,000 and the highest \$6,000. Six provinces have a \$5,000 ceiling.

Widows' and children's pensions were increased in *New Brunswick*, *Nova Scotia* and *Saskatchewan*, and in the three provinces the increases were made applicable to existing pensioners.

In *New Brunswick*, where the increased benefits are payable from January 1, 1963, a widow will now receive a lump sum of \$200 (increased from \$100), a pension of \$75 a month (formerly \$60), and an allowance of \$25 a month (formerly \$20) for each dependent child. In *Nova Scotia*, a widow's pension was also increased from \$60 to \$75, and an increase from \$22.50 to \$25 was provided in the allowance for a dependent child. In *Saskatchewan*, the increases were from \$100 to \$110 a month in the pension to a widow and from \$35 to \$45 in the monthly payment to a dependent child. In *Saskatchewan*, the \$110 monthly pension to a widow is payable

only to the age of 70. A widow over the age of 70 receives \$75 a month. The increases for orphan children were from \$40 to \$50 a month in *New Brunswick*, from \$30 to \$35 in *Nova Scotia*, and from \$50 to \$60 in *Saskatchewan*.

An important change in *New Brunswick* was the raising of the age limit to which children's allowances are payable from 18 to 21 years. From January 1, 1963, children's allowances are to be paid to the age of 21, or, as before, until a child ceases to attend school regularly. "School" is defined to include university, college or any type of training establishment. In most provinces the age limit for the payment of children's allowances is 16 years, with the Workmen's Compensation Board having discretionary power to pay benefits to the age of 18 to aid a child in continuing his education. In *Saskatchewan*, benefits may be paid to the age of 19 for educational purposes.

The *Ontario* anti-discrimination legislation—the Fair Employment Practices Act, the Female Employees' Fair Remuneration Act and the Fair Accommodation Practices Act—was consolidated in one enactment, the Ontario Human Rights Code, 1961–62, which went into force on June 15.

The *Manitoba* weekly rest legislation (Section 32 of the Employment Standards Act), which previously applied in the industrial areas only, was extended to cover all parts of the province.

ANNUAL VACATIONS WITH PAY

Annual vacations with pay are provided for by law in Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan. Provision for annual vacations with pay is made in Alberta in the Alberta Labour Act and in orders under it; in Ontario in the Hours of Work and Vacations with Pay Act and regulations; and in Quebec in Order 3 under the Minimum Wage Act and in most decrees* under the Collective Agreement Act. In the other provinces annual vacations with pay are provided for in separate statutes.

The New Brunswick Vacation Pay Act applies only to construction, mining including the peat-moss industry, and the processing, canning and packing of fish, vegetables and fruit. In the seven provinces which have Acts or orders of general application most workers are covered, with the exceptions noted below.

* Provisions for an annual vacation with pay or pay in lieu of a vacation vary in the approximately 100 decrees in effect under the Collective Agreement Act and are not dealt with in this bulletin. The Department of Labour or Minimum Wage Commission has no jurisdiction with respect to the administration and enforcement of the decrees, which are under the supervision of the parity committee concerned. The legislation described above is Minimum Wage Order 3. Order 39 of the Minimum Wage Commission governing forest operations provides that every employee must be given vacation pay equal to 2 per cent of earnings on termination of employment or, if employment has been continuous for the previous 12 months, during the month of May of each year. Employees governed by an existing collective agreement under the Labour Relations Act providing for a vacation pay plan are excluded from this provision for the term of the agreement but not after April 30, 1963.

Farm workers are excluded in all provinces. Persons employed in horticulture in British Columbia, in growing flowers, fruits and vegetables in Ontario, and in ranching and market gardening in Manitoba and Saskatchewan are also excluded. Domestic servants are exempted in all provinces but Manitoba and Saskatchewan. Professional workers are excluded in British Columbia and Ontario, employees of municipal and school corporations in Quebec, persons engaged in funeral directing and embalming in Ontario and workers employed in lumbering and commercial fishing in Nova Scotia. Salesmen are excluded in Alberta, Ontario and Quebec but in Quebec the exclusion is limited to those with less than three months' service. In addition to the groups already mentioned, apartment house janitors, caretakers provided with free lodgings, home-workers, part-time workers working three hours or less in a day and a few other groups are excluded in Quebec. Also excepted are the large group of workers governed by decrees under the Collective Agreement Act (see footnote p. 4). The Manitoba Act excludes independent contractors, and employees of railway and express companies under federal jurisdiction. Workers governed by a collective agreement in British Columbia are exempted from the Act if the Minister of Labour approves the vacation provisions of the agreement.

In New Brunswick, Nova Scotia, Ontario and Quebec, a worker is entitled to a vacation with pay of one week after a year of employment; in Alberta, British Columbia, Manitoba and Saskatchewan, an employee is entitled to a two weeks' vacation with pay after working one year. The Saskatchewan Act further provides for a three weeks' vacation after five years' service with the same employer. An employee whose service with an employer has not been continuous is eligible for a three weeks' vacation after five "accumulated" years of employment, if no break in his service has exceeded 6 months (182 days). The Saskatchewan Act also provides that a system of cumulative vacations may be established by regulations, under which an employee may, by agreement with his employer and with the approval of the Minister, postpone one week of his vacation each year for a period not exceeding four years.

The length of the vacation period and the vacation pay requirements in the various provinces are shown in the table below.

	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Length of Annual Vacation	1 week	1 week ¹	1 week	1 week	2 weeks	2 weeks; 3 weeks after 5 years' service	2 weeks	2 weeks
Vacation Pay	2% of annual earnings	2% of annual earnings	Regular pay if paid by the week or longer period; otherwise 2% of annual earnings	2% of annual earnings	Regular pay	1/26 of annual earnings in first four years; 3/52 of annual earnings after fifth year	Regular pay	4% of annual earnings

¹ In construction, mining including the peat-moss industry, and the processing, canning and packing of fish, vegetables and fruit.

The employer may determine the time when each of his employees may take the annual vacation provided for, within certain limits laid down by law. The vacation must be given in New Brunswick not later than 4 months after June 30; in Quebec within 6 months after May 1; in Saskatchewan *within* 10 months, and in British Columbia, Manitoba, Nova Scotia and Ontario *not later than* 10 months, after the date on which the employee becomes entitled to a vacation; and in Alberta not later than 12 months after the date of entitlement.

In Quebec, if a worker has worked less than a year, he is entitled to a half-day for each calendar month of employment; in Saskatchewan, a worker with less than a year's service with his employer may be given one day for each month.

An employee who has been employed for a year but has not met the prescribed work requirements for a year's service is entitled to a vacation proportionate to the time worked in Alberta and to vacation pay in British Columbia, New Brunswick and Nova Scotia. To meet the prescribed requirements for a year's service, a worker must have worked not less than 90 per cent of the regular working days in the establishment during a year in Alberta, not less than 225 working days in British Columbia and New Brunswick (New Brunswick, working days or shifts), and not less than 90 per cent of regular working hours in Nova Scotia. Where a worker has worked less than the prescribed working time and continues to work for the same employer, he must be given an annual vacation on a pro rata basis in Alberta, and accrued vacation pay for the period worked in the other three provinces (4 per cent of earnings in British Columbia, 2 per cent in New Brunswick and Nova Scotia). The vacation pay is payable within a month after the anniversary date of the workman's employment or in New Brunswick within a month after the end of the vacation pay year. A worker in the construction industry in Ontario whose employment with his employer extends beyond June 30 must be given vacation stamps on that date equal in value to 2 per cent of his earnings during the preceding period of employment.

If employment is terminated *during* a working year, the worker is entitled to vacation pay for the period of his employment in Alberta, British Columbia, New Brunswick, Nova Scotia, Quebec and Saskatchewan. In Ontario, a worker who ceases to be employed before working a full year is entitled to vacation pay credits in the form of stamps. A worker must have been employed for at least 30 days in Alberta and for at least three months in Nova Scotia in order to be eligible for vacation pay. In Ontario, an employee who leaves his employment of his own accord must have been employed for at least three months in order to qualify for vacation credit; where, however, the employment is terminated by the employer, the employee must be given vacation credit for whatever time he has been employed. Payment is made at the rate of 4 per cent of regular pay in Alberta,

4 per cent of earnings in British Columbia, 1/26 or 3/52 of earnings, depending on the year of employment, in Saskatchewan, and 2 per cent of earnings in the other provinces.

A stamp system of vacation pay credits is in effect in Alberta, Nova Scotia and Ontario for workers in the construction industry who are frequently employed by several employers during a year. In Ontario, as indicated above, the stamp system is used in any industry under the Act if employment is terminated during a working year. In Alberta and Nova Scotia, there is provision in the legislation for the use of the stamp system in industries other than construction, and in British Columbia, the board which administers the Act has authority to establish a system of vacation credits.

Under the vacation stamp system, the employer is required to affix vacation with pay stamps to the worker's stamp book at the end of each pay period in Alberta, or in Nova Scotia and Ontario, when the employment ends. In Ontario, stamps must be affixed within 10 days after the worker presents his book; in Nova Scotia, the employer must furnish the worker with a stamp book within 10 days after his employment is terminated and affix to the book the requisite amount of stamps. Stamps are equivalent to 2 per cent of the worker's earnings in Nova Scotia and Ontario and to 4 per cent in Alberta.

Stamps may be exchanged for their cash value at a savings bank at any time within the 12 months beginning on January 15 in each year in Alberta, at any time after the anniversary date of the worker's employment in Nova Scotia, and after June 30 in each year in Ontario.

In Manitoba, the vacation stamp system previously in effect for transitory employees in the construction industry in the Greater Winnipeg area was replaced from July 1, 1960, by a system of cheques issued by the Department of Labour annually.

Under this system, an employer is required to make payment of vacation pay credits (4 per cent of the wages earned in the pay period) to the Minister of Labour within five days after each regular pay-day or within such other time as may be prescribed. Upon request, the Minister may authorize the remittance of vacation pay credits within 15 days after the end of the month in which wages were earned.

With the remittance, the employer must furnish specified information for departmental records, including the name and address of the employer, the name of each employee, his unemployment insurance number or the departmental number assigned to him, amount of wages exclusive of overtime earned during the pay period, and vacation pay credits for the period. The employer is also required to give written notice to the employee of the amount of vacation pay credited to his account. Vacation moneys are deposited in a special division of the Consolidated Fund.

Payment of vacation pay to the employee is made by cheque after the first day of July in each year. The cheque, representing the accumulated vacation pay credits of the employee, less a charge for administrative costs, is sent to the employer reporting a vacation pay credit for the employee for the last pay period in the month of June.

An unemployed construction worker in the Greater Winnipeg area who is registered with the National Employment Service but has not been directed to a job and who has exhausted his unemployment insurance benefits may obtain his vacation pay at any time after November 30 in any year.

Minimum wage orders in Prince Edward Island governing women restaurant workers in Charlottetown and Summerside and in each case a five-mile radius require these workers to be granted a week's vacation with full pay after a year of continuous employment and a two weeks' vacation after two years' service.

PUBLIC HOLIDAYS

Only two provinces, Manitoba and Saskatchewan, have provisions of general application dealing with public holidays.

In Saskatchewan, the Minimum Wage Board, acting under authority conferred on it by the Legislature in 1947, requires full-time employees who do not work on any of eight public holidays to be paid their regular pay. The eight holidays are New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, Remembrance Day and Christmas Day.

If required to work on a holiday, employees in all workplaces except hotels, restaurants, hospitals, nursing homes and educational institutions must receive, in addition to their regular pay for the holiday, time and one-half the regular rate for every hour or part of an hour worked, in effect, two and one-half times their regular pay.

Full-time workers in hotels, restaurants, hospitals, nursing homes and educational institutions who are required to work on a holiday must be paid, in addition to their regular pay, wages at the regular rate or they may be granted equivalent time off at regular rates within four weeks.

When Christmas or New Year's Day falls on Sunday, the requirements set out above apply to the following Monday. They also apply when the Monday following Remembrance Day is declared a holiday. By agreement between an employer and a trade union representing a majority of the employees in an appropriate bargaining unit, another working day may be substituted for any of the eight listed holidays. Where workers are not represented by a trade union, the Minister of Labour may by order permit a similar substitution, if he is satisfied that the employer and a majority of the employees are in favour of the change.

The Manitoba provisions, which were enacted in 1951 and which are now contained in the Employment Standards Act, prohibit work on specified public holidays unless an overtime rate is paid.

In all employment except farming, subject to the exceptions noted below, workers are entitled to time and one-half their regular rate if required to work on seven "general holidays" — New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day and Christmas Day.

For workers employed in a continuously operating plant, a seasonal industry, a place of amusement, a gasoline service station, a hospital, a hotel or a restaurant, or in domestic service, compensatory time off with pay may be substituted, in accordance with custom or agreement. Domestic servants may be granted two half-days off in lieu of a holiday. The compensatory time off must be given within 30 days of the holiday, unless another date is fixed at the request of the employee.

By a special Act, Remembrance Day has been declared a public holiday in Manitoba. Except in farming and certain essential services, work may not be performed except by permit from the Minister of Labour. Overtime provisions are not applicable on Remembrance Day. Any employee, other than a watchman, furnace tender or janitor, who is required to work and who is paid at his regular rate of pay must be granted equivalent compensatory time off, without loss of pay, within 30 days.

Provisions in minimum wage orders in Nova Scotia, Prince Edward Island, Manitoba and Alberta deal with the question of pay for public holidays to the extent of prohibiting deductions from the minimum wage for time not worked on a holiday.

Nova Scotia minimum wage orders, which are applicable to women workers only, prohibit any deduction from the minimum weekly wage for time not worked because of public holidays, if an employee has worked all the scheduled working days in the week during which the holiday occurs, and in the case of a holiday falling on Monday, if she worked the last scheduled working day immediately before the holiday.

The Prince Edward Island minimum wage orders applying to women workers in restaurants in Charlottetown and Summerside and a five-mile radius of each contain provisions similar to that in the Nova Scotia orders noted above. They provide, in addition, that a worker who is required to work on a public holiday must be granted a day off without deduction within 14 days.

In Manitoba, both men and women workers are protected against a reduction in the minimum weekly wage for time not worked on a general holiday (as listed above) which falls on a regular working day. Where an employee does not work on a holiday but does work the regularly scheduled hours on all the other working days in the week, it is to be presumed, for the purpose of determining the minimum amount of wages to be paid to the

employee for that week, that he worked regular hours on the holiday. An employee does not lose the benefits of this provision through being absent on either the day before or the day after the holiday because of established illness or with the employer's consent.

The Alberta minimum wage orders forbid an employer to reduce the wages of a full-time employee of either sex below the prescribed minimum wage by making a deduction for time not worked on a holiday when the employer's place of business is closed. In any minimum wage order the Board may provide that for work done on a holiday the overtime rate must be paid.

The Factories Act of British Columbia makes it mandatory for factories, with the exception of certain continuous industries, to close on specified public holidays unless the inspector gives permission for employment, but it does not deal with the question of pay for the holidays. The establishments for which a permit is not required are those engaged in the production of light, heat or power, railway and street railway repair shops, metallurgical works, bakeshops in a municipality, milk processing and distributing plants, oil refineries, factories manufacturing cement, glass or chemicals, and laundries operated in conjunction with hospitals.

Public holidays, under the Factories Act, include Christmas, New Year's Day, Victoria Day, Dominion Day, Labour Day, Remembrance Day, any day declared to be a public holiday by Proclamation, and, at the option of the employer, either Good Friday or Easter Monday. Boxing Day (December 26) and Thanksgiving Day are proclaimed each year as holidays under the Factories Act.

Shops in all municipalities in British Columbia must be closed on the holidays listed above, including both Good Friday and Easter Monday, and on Boxing Day, the Queen's Birthday and Thanksgiving Day. There is also legislation in Newfoundland requiring shops to be closed on specified public holidays in St. John's, Exploits Valley, and certain proclaimed shop-closing areas.

Provisions prohibiting work on specified public holidays except with permit, stipulating that certain holidays must be observed as paid holidays, or requiring the payment of an overtime rate for work done on specified holidays are regular features of the decrees under the Quebec Collective Agreement Act and of industrial standards schedules in Alberta, New Brunswick, Nova Scotia, Ontario and Saskatchewan. These provisions, while regulating a considerable portion of industry, particularly in Quebec, apply only to certain trades and areas in the province concerned. They are not dealt with in this bulletin.

MAXIMUM HOURS OF WORK

Five provinces have Acts of general application limiting working hours (the Alberta Labour Act, Part I; the British Columbia Hours of Work Act; the Manitoba Employment Standards Act, Part III; the Ontario Hours of Work and Vacations with Pay Act; and the Saskatchewan Hours of Work Act).

These Acts are of two types. Those of Alberta, British Columbia and Ontario set daily and weekly limits on hours, and provide that work may not continue beyond these limits without the permission of the administrative authority. The Manitoba and Saskatchewan Acts do not, strictly speaking, impose limits on hours. They provide instead that time and one-half the regular rate must be paid where work is carried on beyond specified daily or weekly hours (in Manitoba, after 8 and 48 hours for men and 44 hours for women; in Saskatchewan, after 8 and 44 hours). A 1958 amendment to the Saskatchewan Act, however, empowered the Lieutenant-Governor in Council to limit daily hours in any class of employment. Where any such regulation is made governing a particular occupation, work beyond 12 hours in a day is prohibited, unless authorized in writing by the Minister of Labour.

Exemptions from the standards imposed are permitted under all the Acts.

In Alberta, an order made under the Alberta Labour Act limits working hours in all centres with a population of over 5,000 to 8 in a day and 44 in a week. In the rest of the province the 8 and 48-hour limits set by the Act apply. The British Columbia Act sets a maximum of 8 hours in a day and 44 hours in a week. In both Alberta and British Columbia, the administrative board has statutory power to permit exceptions and where it permits hours limits to be exceeded it may fix the minimum wage payable for overtime. In both provinces the board has made special orders for some industries, exempting workers entirely from hours limitations or permitting them to work a maximum number of additional hours, subject to definite overtime pay requirements.

The Ontario Act limits working hours to 8 in a day and 48 in a week. Provision is made in a general order for the working of overtime in any establishment, with the approval of the administrative board, to the extent of 100 hours in each year for each employee. Engineers, watchmen, firemen, shippers and other persons engaged in non-productive work may, with board approval, work 12 hours' overtime in each week.

In Saskatchewan, it has been necessary to provide for some relaxation of the provisions of the Act, and regulations permit a 48-hour week to be worked in workplaces, other than factories, in the smaller centres before overtime rates apply. Other regulations permit hours to be averaged over a specified period, thus allowing some variation from week to week. Certain classes of employment have been entirely exempted from the Act.

The Manitoba Act applies only in the chief industrial areas of the province. As in other provinces, the administrative board may authorize longer hours under certain circumstances.

Under all the Acts, there is provision for working 9 or more hours in a day in order to establish a 5-day week, provided the weekly maximum is not exceeded. The Acts also stipulate that hours may be exceeded in emergencies.

Maximum hours fixed under hours of work laws and the application of each Act in general terms are set out below.

<u>PROVINCE</u>	<u>DAILY AND WEEKLY LIMITS</u>	<u>APPLICATION</u>
Alta.	8, 44 (centres over 5,000) 8, 48 (rest of province)	All employment except farm labour and domestic service. Exceptions allowed for some industries (e.g., trucking, taxicab, lumbering, highway and pipeline construction).
B.C.	8, 44	Applies to industries in Schedule, including mining catering manufacturing elevator operators construction hotel clerks barbering truck drivers mercantile bus operators baking Exceptions allowed for some industries (e.g., trucking, logging, fruit and vegetable canning, bus operators).
Ont.	8, 48	Industrial undertakings. Funeral directing, grain elevators, commercial fishing, stevedoring and a few other occupations excluded.
Man.	Limits of 8, 48 (men) and 8, 44 (women) apply unless time and one-half the regular rate is paid in chief industrial areas of province.	Applies to industries in Schedule, including mining baking manufacturing milk processing barbering and distribu- hairdressing tion offices catering

PROVINCE DAILY AND WEEKLY LIMITSAPPLICATIONMan. (*Continued*)

mercantile road transport
insurance elevator operators
hotel clerks

Sask. Limits of 8, 44 (8, 48
in smaller centres)
apply unless time and
one-half the regular
rate is paid.

Most employment. Farm
workers, domestic servants in
private homes, janitors in
residential buildings, logging,
fishing and fish-processing,
road construction excluded.
Exceptions allowed for some
industries (e.g., oil truck
drivers, newspaper staff,
pipeline construction).

Apart from general hours of work laws, working hours are regulated to some extent under other statutes. Schedules under industrial standards legislation in five provinces, the Fair Wage Schedule issued annually under the Manitoba Fair Wage Act and decrees under the Quebec Collective Agreement Act limit hours in construction and other industries. The Manitoba Fair Wage Schedule, which applies to both public and private construction work, has almost province-wide application. Schedules and decrees in the other provinces apply to designated zones; a number apply throughout the province. Generally speaking, maximum weekly hours fixed by schedules and decrees for the construction trades range from 40 to 48 but 50, 54 and 55-hour limits are in effect in some areas of Quebec. In all provinces a 40-hour week is the usual standard for the construction industry in the larger centres. In another industry regulated by schedules and decrees in Ontario and Quebec, the manufacture of men's and ladies' clothing, maximum weekly hours vary from 37-½ to 45, with a 40-hour week being the most common standard. A 48-hour week is in effect for the shoe industry in Quebec.

Mining legislation in New Brunswick and Nova Scotia, which sets a maximum 8-hour day for underground work in mines, provides the only statutory regulation of hours of work of miners in those provinces; hours of work Acts apply to mining in other provinces. The Quebec Mining Act sets a maximum 48-hour week for work below ground for boys under 17.

In New Brunswick and Quebec, provisions in factory legislation restricting working hours of women and boys under 18 (to 9 and 54 hours in New Brunswick and 10 and 55 hours in Quebec) are still in effect. In Ontario, the limits set by the Factory, Shop and Office Building Act for women and boys under 16 (10 and 60 hours) would apply when an exemption is permitted under the general hours of work law, prohibiting any extension of hours beyond those limits. The Saskatchewan Factories Act prohibits

employment of women beyond 48 hours in a week. The Nova Scotia Factories Act limits hours of boys and girls under 16 to 8 in a day and 48 in a week.

In Newfoundland, Acts governing shops fix maximum hours for shop assistants. The St. John's Shops Act limits hours of shop assistants in St. John's and a six-mile radius to 40 in a week unless time and one-half is paid. The same requirement is laid down for shop workers in the Exploits Valley district.

Under fair wage legislation in Ontario and British Columbia, workers employed on projects undertaken under contract with the provincial Government may not work more than 8 hours in a day or 44 hours in a week, except in special circumstances. Under similar legislation in New Brunswick, there is no daily limit on working hours but weekly hours may not exceed 44.

There is also some indirect regulation of hours by virtue of provisions in minimum wage orders requiring the payment of an overtime rate after a specified number of hours of work. Overtime rates fixed under minimum wage orders are shown on page 18.

Minimum wage orders in Manitoba limit the number of hours of overtime which a woman may work to 3 in a day, 12 in a week and 24 in a month.

MINIMUM WAGE RATES

All the Canadian provinces have minimum wage laws. In Nova Scotia, minimum rates are in effect for women workers only, since the Male Minimum Wage Act, 1945, has not been proclaimed in effect. In Ontario, minimum rates have also been set for women only. In New Brunswick, only one order is in effect for men—that covering the canning industry—but an order governing logging and pulpwood cutting operations will go into force on April 1, 1963. Under the Prince Edward Island Women's Minimum Wage Act, 1959, minimum rates have been set for restaurant workers in Charlottetown and Summerside. No rates are in effect under the 1960 Act applying to male workers.

In Newfoundland, New Brunswick and British Columbia, minimum rates apply throughout the province. In the remaining provinces (excluding Prince Edward Island) there are regional differentials in minimum rates. In Nova Scotia and Ontario, the province is divided into three zones for minimum wage-setting purposes; in Quebec, there are two zones. In Alberta, Manitoba and Saskatchewan, a distinction is made for minimum wage purposes between urban and rural areas, centres with over 5,000 population in Alberta being classed as urban.

In Nova Scotia, Zone I consists of Halifax, Sydney, Glace Bay, Amherst, Dartmouth, New Glasgow, New Waterford, North Sydney, Sydney Mines and Truro; Zone II comprises Annapolis Royal, Antigonish, Berwick, Bridgetown, Bridgewater, Canso, Clark's Harbour, Dominion, Digby, Hantsport, Inverness, Kentville, Liverpool, Lockeport, Louisburg,

Lunenburg, Mahone Bay, Middleton, Mulgrave, Oxford, Parrsboro, Pictou, Port Hawkesbury, Shelburne, Springhill, Stellarton, Stewiacke, Trenton, Westville, Windsor, Wolfville and Yarmouth; Zone III consists of the rest of the province.

In Ontario, the cities of Toronto, Hamilton, Windsor, Ottawa and London constitute Zone I; centres of 3,000 population and over are included in Zone II; places with under 3,000 population constitute Zone III.

In Quebec, Zone I consists of the Greater Montreal area (including the Island of Montreal, Ile Jesus, Ile Bizard and the County of Chambly); Zone II takes in the remainder of the province.

Minimum wage boards in all provinces except British Columbia and Prince Edward Island issue general or blanket orders setting rates which apply to most workers in the province (or to most female workers in those provinces in which rates are not set for men). There are, in addition, in some provinces one or more special orders setting different rates for a particular industry, occupation or class of workers. The British Columbia board issues a separate order for each industry or occupation.

For purposes of comparison, the minimum rates shown in the three tables which follow are set out not as general rates but as applying to specific workplaces—factories, shops, offices, hotels and restaurants.

Weekly rates are set in some provinces, hourly rates in others.

Only one province, Newfoundland, sets different minimum rates for male and female employees.

In Manitoba, Saskatchewan and Alberta, the boards have set minimum rates for young workers. In Manitoba, a minimum rate of 48 cents an hour is in effect for workers under 18. In Saskatchewan, workers under 18 must be paid \$2 less than the adult rate, that is, \$32 a week in the cities and a five-mile radius and \$30 a week in the smaller centres. In Alberta, adult rates apply to workers over 19. In the larger centres (over 5,000 population) the minimum rate is \$26 a week for workers under 18 and \$30 a week for those between 18 and 19 years. In the remainder of the province the corresponding rates are \$22 and \$26. Minimum rates in Newfoundland orders apply to employees over 17.

1. Minimum Rates for Experienced Workers*

Establishment	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Factories Shops Offices	per hour 35¢ (women) 50¢ (men)	per week —	per week \$21.60, Zone I \$19.20, Zone II \$14.40, Zone III (women only)	per hour 60¢ (women only) 65¢ (male workers in canning or processing of fish, vegetables or fruit)	per hour 70¢, Zone I 64¢, Zone II	per week \$30, Zone I \$28, Zone II \$26, Zone III (women only)	per hour 66¢, cities 61¢, rural	per week \$34, ten cities and five-mile radius \$32, rest of province	per week \$34, centres over 5,000 population \$30, rest of province	per hour \$1 — factories and shops 75¢ — offices
Hotels Restaurants	As above	Restaurants in Charlottetown and Summerside and five-mile radius: \$21, waitresses \$16, other female workers (Charlottetown) \$23, female cashiers (Summerside)	As above ¹	55¢ (women only)	64¢, Zone I 60¢, Zone II	As above	As above	As above	As above	\$1

* For description of zones, see page 14.

¹ Rate applicable to city or town applies to hotels and restaurants within 20 miles between June 1 and September 30.

2. Minimum Rates and Learning Periods for Inexperienced Workers*

Establishment	P.E.I.	N.S.	Que.	Ont.	Man.	Alta.	B.C.
Factories Shops Offices	per week —	per week During probationary period of 90 days: \$18, Zones 1 and II \$18, Zones 1 and II (women only)	per hour During first 6 months of employment: \$6¢, Zone I 52¢, Zone II	per week During 2 three-month periods: \$26, \$28, Zone I \$24, \$26, Zone II \$22, \$24, Zone III (women only) ¹	per hour Rates and learning period to be set out in permit granted by Minister. Learning period may not exceed 6 months and starting rate must be at least 75% of minimum rate. ²	per week During 2 four-week periods in garment industry: \$28, \$30, centres over 5,000 population \$24, \$26, rest of province ³	per hour During 3 one-month ⁴ periods in factories and shops: 85¢, 90¢, 95¢ During 2 one-month periods in offices: 55¢, 65¢
Hotels Restaurants	During probationary period of 60 days in Summerside and 30 days in Charlottetown in restaurants: \$18, waitresses \$20, female cashiers (Summerside only)	As above	—	—	As above	—	During 3 one-month ⁴ periods: 85¢, 90¢, 95¢

* For description of zones, see page 14. The Newfoundland, New Brunswick and Saskatchewan orders make no provision for lower rates for learners.

¹ Not more than 20% of the women workers in an establishment may be classified as inexperienced.

² The Minister of Labour may fix, at not more than 25%, the percentage of women workers

that an employer may employ as learners.

³ Not more than 25% of the workers employed by an employer in the garment industry may be paid learners' rates.

⁴ A month is defined as a period of 22 working shifts.

3. Overtime Rates

Establishment	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
	For hourly-paid workers, 1½ times the minimum rate after 48 or normal hours, if less, in restaurants and for work on Sunday; for workers paid a fixed weekly or monthly wage, 1½ times the minimum rate after 48 hours.	1½ times the minimum rate after 48 or normal hours, if less, in restaurants in Charlottetown and Summerside and five-mile radius (women only).	1½ times the minimum rate after 48 or normal hours, if less (women only).	1½ times the minimum rate (90 cents per hour in factories, shops and offices, 83 cents per hour in hotels and restaurants) after 48 hours (women only).	1½ times the minimum rate after the hours in the "regular workweek". Regular work-week for factories, shops and offices is 48 hours; for hotels and restaurants it is 54 hours.	Pro rata after normal week (women only).	1½ times the minimum rate after 8 and 44 hours (women) and after 48 hours (men). ²	1½ times the regular rate after 8 and 44 hours ³ , but after 48 hours in shops and offices in centres with under 500 population, and after 48 hours in hotels and restaurants in centres other than cities.	1½ times the regular rate after 9 and 48 hours or hours prescribed by Board (after 44 hours in centres with over 5,000 population), hours or after 5,000 population).	1½ times the regular rate after 8 and 40 hours in factories, shops, hotels and restaurants; 1½ times the regular rate after 8 and 44 hours or after hours permitted by Board in offices.
Factories										
Shops										
Offices										
Hotels										
Restaurants										

¹ Workers paid on a yearly, monthly or weekly basis at least \$60 a week in Zone I and \$55 in Zone II, whether or not they work a full week, are not entitled to payment for overtime. For description of zones, see page 14.

² Applies only to employment which is not within the scope of Part III of Employment Standards Act (hours of work legislation). The latter applies to the major industries in the chief industrial areas of the province (page 12).

³ Overtime payable after 9 and 44 hours in case of 5-day week.

⁴ Provision for overtime in Saskatchewan is contained in Hours of Work Act and orders.

⁵ Where the Board approves an agreement under which hours limits may be exceeded, provided the weekly average over a specified period does not exceed 44 hours, the overtime rate must be paid after an average of 40 hours in a week.

EQUAL PAY

Eight provinces, Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Prince Edward Island and Saskatchewan, have equal pay laws. The Alberta legislation forms Part VI of the Alberta Labour Act. The Ontario law, first enacted in 1951, is now included in the Ontario Human Rights Code, 1961-62 (a consolidation of fair employment practices, equal pay and fair accommodation practices legislation).

The British Columbia, New Brunswick, Nova Scotia, Ontario and Prince Edward Island Acts prohibit an employer from paying a female employee at a rate of pay less than the rate paid to a male employee for *the same work done in the same establishment*. The Saskatchewan Act contains a similar prohibition but refers to *work of comparable character done in the same establishment*. The Manitoba and Alberta statutes are alike in referring to *identical or substantially identical work* but the Manitoba Act differs from the other Acts in that it forbids discrimination against either sex in the payment of wage rates. Under the Manitoba Act an employer is forbidden to pay to the employees of one sex wages on a scale different from that on which wages are paid to employees of the other sex in the same establishment, *if the work required of, and done by, employees of each sex is identical or substantially identical*. The Alberta Act forbids an employer to employ a female employee for any work at a lesser rate of pay than the rate at which he employs a male employee for *identical or substantially identical work*. Differences in rates of pay based on a factor other than sex do not constitute failure to comply with the requirements of the Acts. In all the Acts except that of Alberta, "establishment" is defined as a place of business or the place where an undertaking or part of an undertaking is carried on. The Manitoba, New Brunswick and Saskatchewan Acts were made applicable to provincial government employees.

Under all the Acts, enforcement begins with the filing of a written complaint. In four provinces a person claiming to have been discriminated against may register a complaint with a designated officer of the Department of Labour. In New Brunswick a complaint must be lodged with the Minister of Labour, in Alberta with the Chairman of the Board of Industrial Relations, in Prince Edward Island with the Labour Relations Board, and in Ontario with the Ontario Human Rights Commission.

In all provinces except Prince Edward Island the legislation provides for an informal inquiry into a complaint (in Ontario by the Ontario Human Rights Commission and in the other provinces by an officer of the Department of Labour—in Manitoba and Nova Scotia, by an officer of the Department of Labour or any other person). If the person designated to make the inquiry is unable to settle the matter, a board or commission of one or more persons may be appointed to ascertain the facts and to make

recommendations in New Brunswick, Nova Scotia, Ontario and Saskatchewan. In Alberta and British Columbia, the matter may be referred to an existing board, the Board of Industrial Relations. Under the Manitoba Act, the second stage of the procedure is the appointment of a referee, who may or may not be an officer of the Department of Labour, to make an inquiry with a view to the settlement of the complaint and to recommend to the Minister the course that ought to be taken. All these Acts provide that the parties to the complaint must be given full opportunity to present evidence and to make representations. The recommendations of the board, commission or referee, as the case may be, may be put into effect by an order of the Minister of Labour (in Alberta, an order of the Board of Industrial Relations). Compliance with the order is required.

The Prince Edward Island Act authorizes the Labour Relations Board to "inquire into the complaint and endeavour to effect a settlement of the matters complained of". There is no provision in the Act for a Board order, with which compliance is required.

In Manitoba, an information may be laid against an employer who fails to comply with an order of the Minister and the magistrate may order the employer to pay any wages found to be due to the employee. In Alberta, an employer convicted of an offence under the equal pay provisions of the Act is made liable for the payment of whatever additional remuneration the employee would have received if the employer had complied with the Act, subject, however, to a limitation of six months' wages.

In Manitoba, the failure of an employee to lodge a complaint with the Minister within 30 days after receiving his or her first wages at an unlawful scale bars the employee from making a complaint and having it dealt with under the Act.

WORKMEN'S COMPENSATION

All provinces have a workmen's compensation law of the "collective liability" type.

In each province a Workmen's Compensation Act applicable to most industries and occupations provides for the payment of compensation to a workman or his dependants in case of accident or industrial disease arising out of and in the course of employment. The only exceptions are (1) where the workman is disabled for less than a stated number of days, or (2) where the injury is attributable solely to his serious and wilful misconduct and does not result in death or serious disablement.

Compensation is payable by employers collectively. Compensation, medical expenses and other benefits are paid from a provincial Accident Fund built up by annual assessments, in the form of a percentage of payroll, levied on employers covered by the Act. For assessment and compensation purposes, industries are classified according to their hazard and each class

is liable for the cost of accidents occurring in that class. No contributions from employees are permitted.

The compensation to which a workman is entitled under the Act takes the place of his right of action, and he may not sue his employer in court for damages for an injury sustained in the course of employment.

Benefits under the Acts include periodic payments to the workman during the period of temporary disablement (in all provinces on the basis of 75 per cent of average earnings, subject to the maximum annual earnings provided in the Act); an award for permanent disability (based on 75 per cent of average earnings) in the form of a monthly pension for life or, when disablement is slight, paid in a lump sum; all necessary medical aid, including hospitalization; and rehabilitation. In case of death by accident, fixed monthly payments are made to dependants. In addition to a monthly pension, a widow receives a lump sum payment and an allowance for funeral expenses.

The benefits payable under the Acts are set out on the following pages.

NOTE: For further information about workmen's compensation laws, see the annual bulletin *WORKMEN'S COMPENSATION IN CANADA* published by the Department of Labour of Canada and available from the Queen's Printer, Ottawa. Price 35 cents.

1. Monthly Benefits to Dependents in Case of Death of Workman

Funeral	Widow or Invalid Widower	Children with Parent	Orphans	Where only dependants are other than consort and child	Maximum
\$300 ⁴	\$75 plus sum of \$200	Under 16, \$25 each ¹	Under 16, \$35 each ¹	NEWFOUNDLAND Sum reasonable and in proportion to pecuniary loss ²	75% of earnings. Minimum \$75 to consort, \$25 to each child or \$35 to orphan child unless total benefits exceed \$150 ³
\$300 ⁴	\$65 plus sum of \$200	Under 16, \$20 each. ¹ Maximum to consort and children, \$170	Under 16, \$30 each. ¹ Maximum \$120	PRINCE EDWARD ISLAND As in Newfoundland. Maximum to parent or parents, \$40. Maximum in all, \$60 ²	75% of earnings but Board may waive the 75% restriction where circumstances require it ³
\$250 ⁴	\$75 plus sum of \$150	Under 16, \$25 each ¹	Under 16, \$35 each ¹	NOVA SCOTIA As in Newfoundland. Maximum ² \$45 each. Maximum in all, \$60 ²	
\$300 ⁴	\$75 plus sum of \$200	Under 21, if attend- ¹ ing school, \$25 each ¹	Under 21, if attend- ¹ ing school, \$50 each ¹	NEW BRUNSWICK As in Newfoundland ²	75% of \$4,000 per year ³
\$400 ⁴	\$75 plus sum of \$300	Under 18, \$25 each ¹	Under 18, \$35 each ¹	QUEBEC As in Newfoundland ²	75% of earnings. Minimum \$100 to consort and one child; \$125 to consort and two children; \$150 to consort and more than two children ³
\$300 ⁴	\$75 plus sum of \$300	Under 16, \$25 each ¹	Under 16, \$35 each ¹	ONTARIO As in Newfoundland. Maximum \$100 ²	Average earnings. Minimum \$75 to consort, \$25 to each child or \$35 to orphan child unless total benefits exceed \$150 ³
\$200 ⁴	\$75 plus sum of \$300	Under 16, \$35 each ¹	Under 16, \$45 each ¹	MANITOBA Maximum to wholly dependent mother, \$75. Other dependants—as in Newfoundland. Maximum \$30 each. Maximum in all, \$60 ²	75% of earnings. Minimum \$75 to consort; \$110 to consort and one child; \$145 if more ³

\$250 ⁴	\$110 plus sum of \$300 ⁵	Under 16, \$45 each ¹	Under 16, \$60 each, plus a sum not exceeding \$50 at the discretion of the Board	SASKATCHEWAN As in Newfoundland ²	Average earnings. Minimum \$110 to consort; \$155 to consort and one child; \$200 to consort and two children and \$20 for each additional child ^{3,6}
\$250 ⁴	\$75 plus sum of \$200	Under 16, \$40 each ¹	Under 16, \$40 each. Additional amount not exceeding \$25 may be paid to any child under 18 ¹	ALBERTA As in Newfoundland. Maximum to parent or parents, \$50. Maximum in all, \$85	
\$250 ⁴	\$90 plus sum of \$250	Under 16, \$35 each ¹ ; if attending school, \$35 between 16 and 18 years	Under 18, \$40 each ¹ ; \$37.50 if able to attend school between 16 and 18 years and not attending	BRITISH COLUMBIA (a) As in Newfoundland. Maximum \$90 to parent or parents. Maximum in all, \$90 (b) If there is widow or invalid widower or orphans, maximum to parent or parents, \$90 ²	

¹In Alberta, Manitoba, Newfoundland, Nova Scotia, Ontario and Prince Edward Island, payments to children may be made up to 18 years, and in Saskatchewan up to 19 years, if desirable to continue education. In Alberta, Newfoundland and Prince Edward Island, payments to invalid children are continued so long as Board considers workman would have contributed to support. In British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan, payments are continued until recovery.

²Compensation in these cases is continued only so long as Board considers workman would have contributed to support.

³For maximum earnings that may be reckoned, see Table 2, Column 5.

⁴For transporting body for burial, a maximum of \$150 in Quebec, of \$125 in Newfoundland and New Brunswick and of \$100 in Alberta, British Columbia, Nova Scotia and Prince Edward Island may be paid. No maximum is specified in Ontario and Saskatchewan. In Manitoba, the Board may pay transportation expenses within the province and part of expenses if the body is moved into or from the province. In Alberta and British Columbia, only transportation expenses within the province are allowed. In Alberta, Manitoba and Saskatchewan, compensation may include payment for burial plot, not exceeding \$50.

⁵Monthly pension of \$75 after the age of 70.

⁶If consort is over 70, amounts are \$75, \$110 and \$145, respectively.

2. Benefits in Case of Disability

	PERMANENT		TEMPORARY		Maximum Earnings Reckoned
	Total	Partial	Total	Partial	
75% of earnings. Minimum \$65 per month or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	NEWFOUNDLAND 75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident, for duration of disability ^{1,2}		\$4,000 per an.
75% of earnings. Minimum \$20 per wk. or earnings, if less					
75% of earnings. Minimum \$20 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation may be based on impaired earning capacity estimated from the nature of the injury ^{1,2,3}	PRINCE EDWARD ISLAND 75% of earnings for duration of disability. Minimum \$20 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ^{1,2,3}		\$5,000 per an.
75% of earnings. Minimum \$110 per month or, if the workman has more than one child under 16, the amount which a widow with the same number of children would receive					
Average earnings but not in excess of 75% of \$4,000	Amount determined by Board, based on impaired earning capacity ¹	NOVA SCOTIA 75% of earnings for duration of disability. Minimum \$20 per wk. or earnings, if less	75% of difference in earnings before and after accident for duration of disability ^{1,2}		\$4,200 per an.
75% of earnings. Minimum \$15 per wk. or earnings, if less					
75% of earnings. Minimum \$15 per wk. or earnings, if less	75% of difference in earnings before and after accident or, where possible, compensation may be based on impaired earning capacity estimated from the nature of the injury ^{1,2}	NEW BRUNSWICK 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	If earning capacity diminished by more than 10%, 75% of diminution of earning capacity for duration of disability		\$4,000 per an.
75% of earnings. Minimum \$15 per wk. or earnings, if less					
75% of earnings. Minimum \$15 per wk. or earnings, if less	75% of difference in earnings before and after accident or, where possible, compensation may be based on impaired earning capacity estimated from the nature of the injury ^{1,2}	QUE BEC 75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ^{1,2}		\$5,000 per an.
75% of earnings. Minimum \$15 per wk. or earnings, if less					

75% of earnings. Minimum \$100 per month or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	ONTARIO 75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	75% of difference in earnings before and after accident for duration of disability ^{1,2}	\$5,000 per an.
75% of earnings. Minimum \$25 per wk. or earnings, if less	75% of difference in earnings before and after accident or, where deemed just, compensation may be based on impaired earning capacity estimated from the nature of the injury	MANITOBA 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ¹	\$5,000 per an.
75% of earnings. Minimum \$30 per wk.	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	SASKATCHEWAN 75% of earnings for duration of disability. Minimum \$30 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury for duration of disability ²	\$115.38 ^{6/13} per wk. (\$6,000 per an.)
75% of earnings. Minimum \$35 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury ¹	ALBERTA 75% of earnings for duration of disability. Minimum \$35 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury for duration of disability	\$5,000 per an.
75% of earnings. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	BRITISH COLUMBIA 75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident for duration of disability ^{2,4}	\$5,000 per an.

¹ If earning capacity is diminished 10% or less (5% or less in Alberta), a lump sum may be given.

² The minimum payable in case of partial disability is the same proportion of the minimum for total disability (see preceding column) as impairment is of full earning capacity.

³ Board may fix compensation on basis of \$15 per week, even though average earnings are less than that amount.

STATUTORY SCHOOL-LEAVING AGE

In all the provinces there is a compulsory school attendance law, but exemptions are permitted in case of illness, distance from school or lack of accommodation and, except in British Columbia, for home duties and for employment. Provisions as to exemption are shown below. The laws place restrictions on employment of children of school age during school hours.

Nfld.*	P.E.I.	N.S.*	N.B.	Que.*	Ont.*	Man.*	Sask.	Alta.*	B.C.
15. Exemption: 16 unless has completed courses in public school. Attendance required for 12 for not more than 2 months in a school year, unless with approval of Minister ¹ .	16, cities and towns, 14 elsewhere but 15 or 16 may be fixed locally. Exemption: (1) If 12, for not more than 6 weeks in year ³ ; (2) If 13, with employment certificate. Medical certificate may be required.	16, cities and towns, 14 elsewhere but 15 or 16 may be fixed locally. Exemption: (1) If 12, for not more than 6 weeks in year ³ ; (2) If 13, with employment certificate. Medical certificate may be required.	16 unless has passed grade 11. 14 by resolution in rural districts unless has passed grade 8. Exemption: Not more than 6 weeks in year ³ ; (2) If 13, with employment certificate. Medical certificate may be required.	15. Exemption: Not more than 6 weeks in year ⁴ .	16 unless has completed secondary school or equivalent. Exemption: Under 14, for not more than 6 weeks in term ⁴ ; 14-16, if home permit or employment certificate granted. Home permit unnecessary in rural districts but child reaching 14 years during school term must attend school to end of that term.	16 may be fixed by district. 14 otherwise, but 16 if not employed in industry, home duties or farm work. Exemption: Over 12, not more than 4 weeks in year ⁵ .	15 unless has passed grade 8. Exemption ¹ .	15 unless has passed grade 9 or equivalent. Exemption: If 12, not more than 3 weeks in term ⁴ .	15 unless has completed course at nearest public school and transport to higher school not provided.

*Child reaching school-leaving age required to attend school to end of school year in Newfoundland, Nova Scotia, Ontario and Quebec, to end of term in Manitoba, and in Alberta, to end of June term if age reached in that term.

¹ If services needed for maintenance of self or others.

² If services needed in husbandry or other necessary employment.

³ If services needed in farming, home duties or other necessary employment.

⁴ If services needed in farming, home duties, maintenance of self or others.

⁵ If services needed in husbandry or home duties.

MINIMUM AGE FOR EMPLOYMENT

The minimum age for employment set by mines Acts and other provincial legislation (child labour laws, the Alberta Labour Act, the Manitoba Employment Standards Act, factory laws and minimum wage orders) is set out below. In most provinces the legislation (apart from mines Acts) covers certain other classes of establishments as well as those set out in the table. The Canada Shipping Act fixes a minimum age of 15 for employment at sea. No minimum age has been established for employment in agriculture.

Establishment	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
MINES	18, below ground	—	Coal: 18, below Metal: 16, above 18, below	Coal: — above 16, below Metal: 16, above 18, below	— above 15, below	16, above 18, below	16, above 18, below	Coal: 16 Metal: 16, above 18, below	17, above 17, below	Coal: 16, above 17, below Metal: 15, above 18, below
FACTORIES	—	15	14 ¹	16 except with permit	14 ^{2,3,4}	14 ¹	15	16	15	15 except with permit
SHOPS	—	—	—	16 except with permit	14 ^{2,3}	14 ¹	15 except with permit	—	15 ⁵	15 except with permit
HOTELS RESTAURANTS	—	—	14	16 except with permit	—	14 ¹ (restaurants only)	15 except with permit	16	15	15 except with permit

¹ 16 from 8 a.m. to 5 p.m. except with employment certificate or except on school holidays.

² The Government may exempt establishments from the Act.

³ 16 unless able to read and write fluently or attending night school. Permit from Provincial Employment Service required for employment between 14 and 16 years.

⁴ For certain dangerous trades, the minimum age is 18 for boys; for others, it is 16 for boys and 18 for girls.

⁵ Minimum age of 12 years in certain occupations, including work as clerk, delivery boy or delivery girl in retail store, with written consent of parent and subject to restrictions on hours (2 hours on a school day, 8 hours on any other day) if not injurious to life, limbs, health, education or morals.

FAIR EMPLOYMENT PRACTICES

Legislation prohibiting discrimination in hiring and conditions of employment and in trade union membership on grounds of race, colour, religion or national origin is in effect in British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario and Saskatchewan.

In general terms, all the Acts forbid discrimination on grounds of race, colour, religion or national origin. "National origin" in the Manitoba Act, however, is defined to include ancestry, and, in the New Brunswick Act, nationality and ancestry. Instead of "national origin" the British Columbia and Ontario Acts use the wording "nationality, ancestry or place of origin". The Saskatchewan Act specifies "ethnic or national origin" and includes "religious creed" as well as "religion". On any of these grounds an employer may not refuse to employ or discharge any person or discriminate against any person in regard to employment or any term or condition of employment. A trade union is forbidden to exclude any person from membership, to expel or suspend any of its members, or to otherwise discriminate against a member or other person.

All the Acts prohibit the publication of advertisements, the use of application forms, and, except in Manitoba, the making of inquiries, either written or oral, in connection with employment which express any limitation, specification or preference as to race, colour, religion or national origin. The Saskatchewan provisions prohibit any expression of discrimination or of intent to discriminate, and the inclusion in an application form, advertisement or inquiry of any question or request for particulars as to an applicant's race, colour, religion or national origin. The British Columbia, Manitoba, New Brunswick and Saskatchewan Acts allow an exception, however, where a limitation, specification or preference as to race, colour, religion or national origin is based upon a *bona fide* occupational qualification.

The prohibitions noted above are applicable to employment agencies as well as to employers, and the Manitoba, Nova Scotia and Saskatchewan Acts forbid an employer to use an employment agency which practises discrimination against persons seeking employment. In Manitoba, New Brunswick, Nova Scotia and Saskatchewan, employers and trade unions may not discharge, expel or otherwise discriminate against any person for making a complaint under the Act.

The Nova Scotia and Saskatchewan Acts apply to all employers regardless of the number of their employees. Under the other Acts, employers with fewer than five employees are excluded. Except in Nova Scotia, an exemption is provided for domestic servants employed in private homes. Under all the Acts, non-profit charitable, philanthropic, fraternal, religious or social organizations are excluded. The British Columbia Act is expressly stated to apply to schools operating under the Public Schools Act and in Saskatchewan, while educational institutions are covered, the right

of a school or board of trustees to hire persons of a particular religion where religious instruction forms or can form part of the instruction provided is recognized. With these exceptions, educational institutions are excluded. The Manitoba, New Brunswick and Saskatchewan Acts are applicable to provincial government employees.

The provisions for enforcement of the fair employment practices Acts are similar to those contained in the equal pay Acts. Action in all cases is initiated by the filing of a written complaint. The Acts provide first for an informal investigation and, as a second step, for the appointment of a commission of one or more persons to deal with a complaint which is not settled at the earlier stage. In British Columbia, the Board of Industrial Relations acts as a commission of inquiry. Upon receipt of the board's or commission's recommendations, which may include reinstatement, with or without compensation for loss of employment, the Minister may issue an order to put them into effect. Under the Manitoba Act, a person affected by an order of the Minister has the right to appeal to a judge; under the other Acts, the Minister's order is final and must be complied with. Prosecution under the Acts, for which the consent of the Minister is required, may result in a fine.

Educational anti-discrimination programs may be carried on in Manitoba, Nova Scotia and Saskatchewan under the authority given to the Minister to undertake inquiries and other measures to promote the purposes of the Act. The Ontario Human Rights Commission, which administers the Ontario Human Rights Code, carries on a program of education to promote the elimination of discriminatory practices.

WEEKLY REST-DAY

Eight provinces — Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan — provide for a weekly rest-day but the provisions vary in scope.

The Alberta Labour Act requires all employed persons except farm workers and domestic servants to be given a day of rest immediately following each period of not more than six consecutive days of work, unless the Board of Industrial Relations orders that the hours of rest be allowed in two periods or that a longer period than 24 hours be granted. The Act enables the Board to make special provision for days of rest in continuous industries and permits a consecutive rest period every four weeks or in relation to some other work period which the Board may deem proper. Under this authority the Board has made special provision for accumulated days of rest in the highway construction, geophysical exploration, oil well drilling, oil well service and pipeline construction industries and for cooks, night watchmen, etc., in lumber camps.

Orders under the British Columbia Minimum Wage Acts provide for a rest-period of 32 hours weekly for workers in factories, shops, offices, hotels and catering, laundries, hospitals, the woodworking industry, ship-building, public places of amusement, for elevator operators, for men in undertaking establishments, for janitors other than resident janitors in apartment buildings, for patrolmen, for taxicab drivers and for bicycle-riders and foot-messengers employed exclusively on delivery. Different arrangements may be made on application of the employer and employees concerned, if the Board approves. Orders governing resident janitors in apartment buildings containing twenty residential suites and over, and employees in resort hotels in unorganized territory during the summer season provide for a weekly rest of 24 hours.

In Manitoba, a weekly day of rest, if possible Sunday, must be granted to employees in mining, manufacturing, shops, offices, catering, barbering and hairdressing, the insurance business, the baking industry, the transport of goods by road, the processing and distribution of milk and its products and to elevator operators and hotel clerks. Exempted are watchmen, janitors and firemen living in the building in which they are employed; persons not usually employed more than five hours in a day; managers and supervisory employees; repair workers in emergencies; and persons employed for not more than three hours on a weekly rest-day merely for the purpose of looking after horses as part of their usual duty. The Minister of Labour is given discretion to exempt a particular undertaking from the application of weekly rest provisions for a fixed period or indefinitely. Where a plant is exempted, each employee must be given an additional holiday without pay for each weekly day of rest to which he would have been entitled except for the permit of exemption, and the holidays may be accumulated.

The New Brunswick Weekly Rest Period Act requires employers to give their employees a weekly rest of at least 24 consecutive hours, to be taken if possible on Sunday. Where a weekly rest is impracticable, the Minister of Labour may permit rest periods to accumulate and to be taken later, either part at a time or all together. The only employees not covered are farm workers, employees required to cope with an emergency and part-time workers who are not usually employed more than five hours in a day. Certain groups of employees and certain employers may be designated by the Lieutenant-Governor in Council as being outside the scope of the Act.

In Nova Scotia, every employer in mining, manufacturing and construction is required to grant his employees a weekly rest of at least 24 hours. Wherever possible, the period of rest must be on Sunday and must be granted simultaneously to the whole of the staff of each undertaking.

In Ontario, in cities of 10,000 or more people, workers in hotels and restaurants must be allowed a weekly rest-day, Sunday if possible.

Watchmen, janitors, foremen, and those employed for five hours or less in a day are exempted.

In Quebec, Minimum Wage Order 4, applying generally to all industries within the scope of the Act not covered by special orders, provides for a weekly rest of 24 hours or two periods of 18 consecutive hours each for the employees covered by its provisions. Farm workers, domestic servants and employees covered by decrees under the Collective Agreement Act are the only workers not within the scope of the Minimum Wage Act. The four special minimum wage orders contain the same provision as Order 4, excluding only a few classes of workers in forest operations, caretakers provided with free lodgings in hotels, restaurants and hospitals, and employees of real estate undertakings. Under the Quebec Weekly Day of Rest Act, persons employed in hotels, restaurants or clubs in places of at least 3,000 population must have 24 consecutive hours' rest in a week. In the Quebec district, the inspector may permit two periods of 18 consecutive hours each instead of one 24-hour period. Where there is only one cook, the 24-hour rest may be replaced by two 12-hour periods.

The Saskatchewan statute provides for a weekly rest of at least 24 hours, wherever possible on Sunday, for the employees of any employer covered by an order of the Minimum Wage Board. (Only agriculture, domestic service and a few other occupations are not covered by minimum wage orders.) Exempted are managers, employees not usually working for more than five hours in a day, and repair men in emergencies. The Minister of Labour may exempt particular employers for not more than one year. Any specified class of employers may be excluded by Order in Council, subject to such conditions as may be prescribed.

STANDARDS IN THE YUKON AND NORTHWEST TERRITORIES

A number of labour standards have been established by the Territorial Councils of the Yukon and Northwest Territories in the fields of legislation covered by this bulletin.

Statutory School-Leaving Age

In both Territories a School Ordinance provides for compulsory school attendance. The Yukon Ordinance makes it compulsory for a child to attend school to the age of 14. In the Northwest Territories, a child is required to go to school to the age of 15 and, if he reaches his fifteenth birthday after December 31, he must attend to the end of the school year. In both Territories, as in the provinces, exemptions from school attendance may be permitted for various reasons, including illness and distance from school.

Minimum Age for Employment

Under a Mining Safety Ordinance in each Territory, the minimum age for employment below ground is 18 years. The Northwest Territories Ordinance also sets a minimum age of 16 years for employment above ground in mines.

Annual Vacations with Pay

The Annual Vacations Ordinance of the Yukon Territory provides for an annual vacation of two weeks with pay after a year's service for all employees except those employed in family undertakings and in domestic service in private homes. The vacation pay to which an employee is entitled is one twenty-sixth of his annual earnings. The vacation must be given within 10 months after the date on which the employee becomes entitled to it. An employee whose services are terminated before he has worked a full year is eligible for vacation pay (one twenty-sixth of his earnings for the time he has been employed), provided he has been employed for a period of at least 30 days.

Maximum Hours of Work

The Mining Safety Ordinances of both Territories provide for an eight-hour day for work below ground in mines. This is the only statutory regulation of working hours in mines in the Northwest Territories.

In the Yukon Territory, hours of work and public holiday provisions are contained in the Labour Provisions Ordinance. This Ordinance, like the hours of work legislation of Manitoba and Saskatchewan, does not impose limits on hours. It requires time and one-half the regular rate to be paid after 8 hours in a day and 44 hours in a week in shops, and after 8 and 48 hours in other employment with the exception of underground work in mines. "Shop", defined as an establishment where wholesale or retail trade is carried on or where services are dispensed to the public for profit, includes a hotel or restaurant.

Limits of 8 and 48 hours apply to mining operations underground in a shaft or tunnel. With the consent of their elected representatives, employees who work in shifts in mining operations are permitted to work longer hours than 8 and 48 without payment of overtime rates, provided that their average hours over a period of four weeks do not exceed 8 per day or 48 per week.

Limits of 8 and 48 hours apply to employees engaged on public works unless the Commissioner of the Territory orders otherwise, in which case he may require the payment of time and one-half the regular rate for time worked in excess of 8 and 48 hours.

Public Holidays

The Ordinance also prohibits work on six public holidays unless time and one-half the regular rate is paid. The holidays are New Year's Day, Good Friday, Dominion Day, August 17 (known as Discovery Day), Labour Day and Christmas Day. Where any of the six specified holidays falls on Sunday, work is prohibited on the following Monday.

Workmen's Compensation

Each Territory has a Workmen's Compensation Ordinance which makes the employer individually liable to pay compensation and requires him to carry accident insurance to cover his liability or to make other arrangements acceptable to the Commissioner. Under both Ordinances, the Alberta Workmen's Compensation Board acts as Referee to determine disputed claims.

Both Ordinances were amended in 1961 to increase the compensation payable to widows and children with respect to accidents occurring after the effective date of the amendments. Lower scales of benefits are in effect for pensioners in receipt of pensions as a result of earlier accidents.

Under the Northwest Territories Ordinance, a widow is entitled to \$300 for burial expenses, a lump sum of \$300, and, with respect to an accident occurring on or after January 1, 1962, a monthly pension of \$90 payable until remarriage or death and \$35 a month for each dependent child under 16. Under the Yukon Ordinance, the corresponding amounts are \$250 for burial expenses, \$300 as a lump sum payment, and, with respect to accidents occurring on or after July 9, 1961, a pension of \$100 a month to a widow and \$35 a month for the first two children in a family and \$20 a month for each additional child. In the Yukon, the allowance to a dependent child is now payable to the age of 18. Under both Ordinances, an additional payment, not exceeding \$10 a month, may be made, at the discretion of the Referee, to an orphan child under 16. Where the only dependants are persons other than widow or children, compensation is to be a sum determined by the Referee in proportion to the pecuniary loss sustained, not exceeding \$75 a month to a parent or parents or \$100 a month to all such dependants.

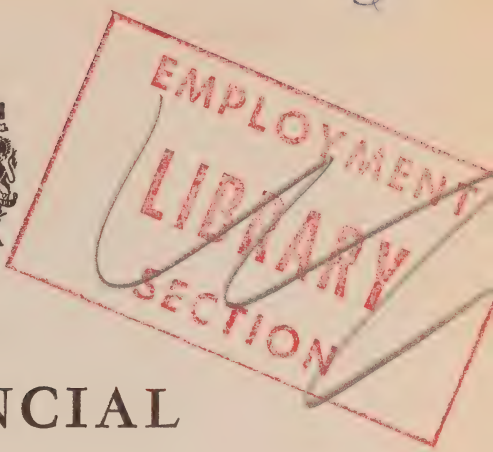
Under both Ordinances, a workman who is permanently and totally disabled is entitled to receive a life pension equal to 75 per cent of his average weekly earnings. In any case he may not receive less than \$25 a week or his full earnings, if less than \$25. For a workman with a permanent partial disability, compensation is a proportion of 75 per cent of his average earnings, depending on impairment of earning capacity as a result of the injury. In computing average earnings, the maximum amount of annual earnings which may be taken into account is \$4,000 in the Yukon Territory (with respect to an accident occurring on or after

January 1, 1956) and \$4,500 in the Northwest Territories (with respect to an accident occurring on or after January 1, 1962). Under both Ordinances, lower ceilings are applicable with respect to earlier accidents.

In addition to compensation payments, the injured workman is entitled to medical aid, the cost of which is borne by the employer. The Referee may require the employer or insurer to pay the expenses of occupational retraining of a permanently disabled workman, up to an amount not exceeding \$5,000.

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PROVINCIAL LABOUR STANDARDS

DECEMBER, 1963

DEPARTMENT OF LABOUR OF CANADA
LEGISLATION BRANCH

HON. ALLAN J. MacEACHEN
MINISTER

GEORGE V. HAYTHORNE
DEPUTY MINISTER

Price 35 cents

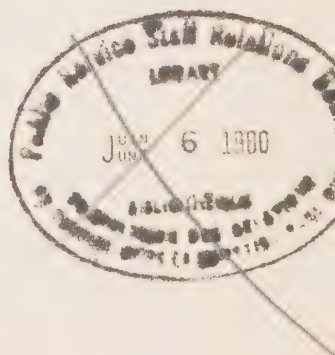


PROVINCIAL LABOUR STANDARDS

Concerning Child Labour, Holidays, Hours of Work,
Minimum Wages, Equal Pay for Equal Work,
Workmen's Compensation, Fair Employment
Practices and Weekly Rest-Day



DECEMBER, 1963



DEPARTMENT OF LABOUR OF CANADA
LEGISLATION BRANCH

HON. ALLAN J. MacEACHEN
MINISTER
74149-6-1

GEORGE V. HAYTHORNE
DEPUTY MINISTER

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FOREWORD

This bulletin, which has been issued annually since 1944 (1957 excepted), sets out the standards which are in effect in the provinces of Canada with respect to child labour, holidays, hours of work, minimum wages, equal pay for equal work, workmen's compensation, fair employment practices and weekly rest-day. The standards set by labour Ordinances of the Yukon and Northwest Territories are included.

These standards are set out in tables, where appropriate, and in other instances in narrative form. Changes in provincial laws and regulations in 1963 are summarized at the beginning of the bulletin.

The bulletin was prepared by Miss Evelyn Woolner.

EDITH LORENTSEN,
Director,
Legislation Branch,
Department of Labour.

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CHANGES IN PROVINCIAL LAWS AND REGULATIONS IN 1963

In 1963 a number of changes were made in the provincial labour standards set out in this bulletin. The more important of these concerned the school-leaving age, minimum wage rates and workmen's compensation benefits. These new or revised standards are summarized below.

In *Manitoba*, the age for compulsory school attendance was raised to 15 years, effective from July 1, 1963. The Manitoba Legislature further provided that a school-leaving age of 16 years should take effect from July 1, 1965.

In *Quebec*, Minimum Wage Order 3, which provides for annual vacations with pay, was amended to require employers to give employees their vacation within 12 months after May 1. Originally 12 months, the period within which a vacation must be given was changed to six months when the order was revised in 1962. Another amendment excluded commission salesmen who work for two or more employers at the same time.

In *Newfoundland*, an Act to limit hours of work in shops was enacted. This Act requires shops throughout the province to remain closed on 13 public holidays. It also limits working hours of shop assistants to 8 in a day and 40 in a week unless one and one-half times the regular rate is paid, and requires such employees to be given a day off each week, in addition to Sunday, except during the weeks in which 8 specified public holidays occur. In the weeks in which 5 other specified holidays occur, they must be given a day off in addition to Sunday and the holiday.

The *Newfoundland* Legislature also passed an Industrial Standards Act similar to the legislation in force in Alberta, New Brunswick, Nova Scotia, Ontario and Saskatchewan, and providing the same procedures for the establishment of minimum standards of working conditions in an industry and area. Under these laws a conference may be convened by the Minister of Labour on the request of employer or employee representatives in an industry. If at such a conference "a proper and sufficient representation" of the employers and employees affected agree on wages and hours conditions, they are embodied in a schedule and the Government may declare the schedule binding on the entire industry in the district concerned.

In *Ontario* and *Prince Edward Island*, minimum wage rates for men were fixed for the first time in 1963. All provinces except Nova Scotia now set minimum rates for workers of both sexes. In Nova Scotia, the minimum wage law applies only to women.

In *Ontario*, new orders for the Toronto-Hamilton-Oshawa zone went into force on June 30, the first stage of a program which, when completed, will cover the whole province. The orders set a minimum rate of \$1.25 an hour for construction workers and \$1 an hour for male workers in other industries. An initial rate of 85 cents an hour was set for women workers

but the orders provided that this rate was to increase to 90 cents on September 30, to 95 cents on December 31, and to \$1 an hour, the same rate as for male workers, on March 31, 1964.

A lower minimum rate—80 cents an hour—was set for three categories of workers: persons under 18 employed as messengers, delivery boys, news vendors or pin setters in bowling alleys; students who work 28 hours or less in a week; and seasonal workers in plants processing fruits and vegetables who work for not more than 16 consecutive weeks in a calendar year.

During a four-month learning period, learners may be paid 10 cents an hour less than the regular minimum rate. An employer may not class more than one-fifth of his employees as learners. Apprentices, office workers who have completed a course in office practice, and part-time workers who are employed for less than 28 hours in a week may not be counted as learners. There are no provisions for learners' rates for workers in hotels and restaurants or in the construction industry.

The general order for women workers in Ontario remains in force in those parts of the province outside the newly-designated zone. Minimum rates under this order are \$30, \$28 and \$26 a week, depending on the location.

In *Prince Edward Island*, a new general order for male workers, effective from May 25, set a minimum wage of 90 cents an hour, to be increased to 95 cents on November 1 and to \$1 an hour on May 1, 1964. For persons employed in food processing plants the minimum rate is 80 cents an hour, with no provision for increases.

As in most other provinces, provision is made for a probationary period of employment. New employees, other than seasonal or casual workers, may be paid at a lower rate than the minimum for a period of 60 days from the date of hiring.

Under the Women's Minimum Wage Act of *Prince Edward Island*, an order for female laundry workers other than office staff was issued on September 28, setting a minimum rate of 55 cents an hour, with a probationary rate of 50 cents an hour for a period of 30 days from the date of hiring. Provision was also made in the order, as in earlier orders governing female restaurant workers in Charlottetown and Summerside, for compensatory time off in lieu of work on a statutory holiday, sick leave with pay, and annual paid vacations.

Regulations under the *Manitoba* Employment Standards Act were amended, effective from September 3, increasing the minimum rate payable to workers of both sexes by 9 cents an hour. The new rates—75 cents in urban centres and 70 cents in rural areas—apply to employees of 18 and over. For workers under 18 the minimum remains 48 cents an hour.

In *Newfoundland*, a minimum wage order, effective from November 1, raised the minimum rate for men from 50 to 70 cents an hour, and the minimum rate for women from 35 to 50 cents an hour. These rates are applicable to employees over the age of 17 years. The order applies to persons employed in all occupations in the province except farming, market gardening and domestic service in a private home.

In *British Columbia*, revised orders governing office occupations and the laundry, cleaning and dyeing industries established the same conditions for these industries as were laid down for manufacturing, the mercantile industry and hotels and catering in 1962. Employees in these industries must now be paid a minimum rate of \$1 an hour. Lower rates (85, 90 and 95 cents) may be paid during the first three months of employment in the industry, a month's employment being defined as a period of 22 working shifts. The former minimum rate for both office and laundry workers was 75 cents an hour.

Both orders require payment of one and one-half times the employee's regular rate of pay after 8 hours in a day or 40 hours in a week. One exception is provided for, permitting, under certain circumstances, payment of one and one-half times the regular rate after an average of 40 hours in a week. Under the former orders, payment of the overtime rate was required after 8 hours in a day or 44 hours in a week.

In *New Brunswick*, new orders were issued governing sawmills and related enterprises and the garment industry. These orders, which apply to all employees in the industry, are the first made in recent years, apart from the canning order, to apply to male workers.

For workers in sawmills and woodworking plants, a minimum of \$1.05 an hour was established, based on a 9-hour day and a 54-hour week. One and one-half times the minimum rate must be paid for hours worked in excess of 54 in a week.

The order for the garment industry provides for a learning period of 9 months. The minimum wage for experienced workers is 60 cents an hour, and for workers with less than 9 months' experience 50 cents. Rates are based on a work week of 48 hours.

In *Quebec*, a new order for sawmills issued in 1962 was replaced on June 29, 1963, by a new order covering both sawmills and woodworking plants.

Rates for employees in woodworking shops are somewhat higher than for sawmill workers. The general minimum for employees in woodworking plants is \$1.15 an hour in Zone I and \$1.05 in Zone II. The corresponding rates for sawmill workers are \$1.10 and \$1 an hour. These rates are based on a 54-hour week. The rates for skilled employees such as machine operators and stationary engineers are 15 cents an hour higher than the general rates. Lower minima are set for handicapped workers and for workers under 19 years of age. All employees with a regular work week must be paid one and one-half times the minimum rate for overtime work.

A number of special orders issued in several provinces during the year are not dealt with in this bulletin.

Amendments to Workmen's Compensation Acts resulted in increased benefits in several provinces. In *Ontario*, the maximum annual earnings of a workman on which compensation may be paid were increased from \$5,000 to \$6,000. In *Quebec*, the maximum payment for total disability was fixed at \$25 a week, instead of \$15.

There were also several changes in the benefits payable in case of a fatal accident. In *Quebec*, the maximum amount payable for funeral

expenses was raised from \$400 to \$600. In *Ontario*, the allowance for a child with one surviving parent was raised from \$25 to \$40 a month, and the payment for an orphan child from \$35 to \$50. These increases were made applicable from July 1 to all children in receipt of compensation. In *Prince Edward Island*, limits of \$170 on the monthly compensation payable to a widow and children and of \$120 on the monthly payment to a family of orphans were removed.

The *Quebec* Act was amended to permit a child to be paid compensation, without any restrictions as to age, as long as he is attending school regularly. This provision, which became effective on August 1, applies to all children receiving compensation, regardless of the date of the accident. For children who do not continue to attend school, the age limit for the payment of compensation remains 18. In *Prince Edward Island*, the Workmen's Compensation Board was empowered to pay compensation in respect of a child who is continuing his education to the age of 21, instead of 18, as formerly.

The *Nova Scotia* Legislature passed the Human Rights Act, which consolidated, with some amendments, the province's Fair Employment Practices, Equal Pay and Fair Accommodation Practices Acts.

ANNUAL VACATIONS WITH PAY

Annual vacations with pay are provided for by law in Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan. Provision for annual vacations with pay is made in Alberta in the Alberta Labour Act and in orders under it; in Ontario in the Hours of Work and Vacations with Pay Act and regulations; and in Quebec in Order 3 under the Minimum Wage Act and in most decrees* under the Collective Agreement Act. In the other provinces annual vacations with pay are provided for in separate statutes.

The New Brunswick Vacation Pay Act applies only to construction, mining including the peat-moss industry, and the processing, canning and packing of fish, vegetables and fruit. In the seven provinces which have Acts or orders of general application most workers are covered, with the exceptions noted below.

Farm workers are excluded in all provinces. Persons employed in horticulture in British Columbia, in growing flowers, fruits and vegetables in Ontario, and in ranching and market gardening in Manitoba and Saskatchewan are also excluded. Domestic servants are exempted in all provinces but Manitoba and Saskatchewan. Professional workers are excluded in British Columbia and Ontario, employees of municipal and

*Provisions for an annual vacation with pay or pay in lieu of a vacation vary in the approximately 100 decrees in effect under the Collective Agreement Act and are not dealt with in this bulletin. The Department of Labour or Minimum Wage Commission has no jurisdiction with respect to the administration and enforcement of the decrees, which are under the supervision of the parity committee concerned. The legislation described above is Minimum Wage Order 3. Order 39 of the Minimum Wage Commission governing forest operations provides that every employee must be given vacation pay equal to 2 per cent of earnings on termination of employment or, if employment has been continuous for the previous 12 months, during the month of May of each year.

school corporations in Quebec, persons engaged in funeral directing and embalming in Ontario and workers employed in lumbering and commercial fishing in Nova Scotia. Salesmen are excluded in Alberta, Ontario and Quebec but in Quebec the exclusion is limited to those with less than three months' service and those who work for two or more employers at the same time. In addition to the groups already mentioned, apartment house janitors, caretakers provided with free lodgings, home-workers, part-time workers working three hours or less in a day and a few other groups are excluded in Quebec. Also excepted are the large group of workers governed by decrees under the Collective Agreement Act (see footnote page 10). The Manitoba Act excludes independent contractors, and employees of railway and express companies under federal jurisdiction. Workers governed by a collective agreement in British Columbia are exempted from the Act if the Minister of Labour approves the vacation provisions of the agreement.

In New Brunswick, Nova Scotia, Ontario and Quebec, a worker is entitled to a vacation with pay of one week after a year of employment; in Alberta, British Columbia, Manitoba and Saskatchewan, an employee is entitled to a two weeks' vacation with pay after working one year. The Saskatchewan Act further provides for a three weeks' vacation after five years' service with the same employer. An employee whose service with an employer has not been continuous is eligible for a three weeks' vacation after five "accumulated" years of employment, if no break in his service has exceeded 6 months (182 days). The Saskatchewan Act also provides that a system of cumulative vacations may be established by regulations, under which an employee may, by agreement with his employer and with the approval of the Minister, postpone one week of his vacation each year for a period not exceeding four years.

The length of the vacation period and the vacation pay requirements in the various provinces are shown in the table below.

	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Length of Annual Vacation	1 week	1 week ¹	1 week	1 week	2 weeks	2 weeks; 3 weeks after 5 years' service	2 weeks	2 weeks
Vacation Pay	2% of annual earnings	2% of annual earnings	Regular pay if paid by the week or longer period; otherwise 2% of annual earnings	2% of annual earnings	Regular pay	1/26 of annual earnings in first four years; 3/52 of annual earnings after fifth year	Regular pay	4% of annual earnings

¹In construction, mining including the peat-moss industry, and the processing, canning and packing of fish, vegetables and fruit.

The employer may determine the time when each of his employees may take the annual vacation provided for, within certain limits laid down by law. The vacation must be given in New Brunswick not later than 4 months

after June 30; in Quebec with 12 months after May 1; in Saskatchewan within 10 months, and in British Columbia, Manitoba, Nova Scotia and Ontario not later than 10 months, after the date on which the employee becomes entitled to a vacation; and in Alberta not later than 12 months after the date of entitlement.

In Quebec, if a worker has worked less than a year, he is entitled to a half-day for each calendar month of employment; in Saskatchewan, a worker with less than a year's service with his employer may be given one day for each month.

An employee who has been employed for a year but has not met the prescribed work requirements for a year's service is entitled to a vacation proportionate to the time worked in Alberta and to vacation pay in British Columbia, New Brunswick and Nova Scotia. To meet the prescribed requirements for a year's service, a worker must have worked not less than 90 per cent of the regular working days in the establishment during a year in Alberta, not less than 225 working days in British Columbia and New Brunswick (New Brunswick, working days or shifts), and not less than 90 per cent of regular working hours in Nova Scotia. Where a worker has worked less than the prescribed working time and continues to work for the same employer, he must be given an annual vacation on a pro rata basis in Alberta, and accrued vacation pay for the period worked in the other three provinces (4 per cent of earnings in British Columbia, 2 per cent in New Brunswick and Nova Scotia). The vacation pay is payable within a month after the anniversary date of the workman's employment or in New Brunswick within a month after the end of the vacation pay year. A worker in the construction industry in Ontario whose employment with his employer extends beyond June 30 must be given vacation stamps on that date equal in value to 2 per cent of his earnings during the preceding period of employment.

If employment is terminated during a working year, the worker is entitled to vacation pay for the period of his employment in Alberta, British Columbia, New Brunswick, Nova Scotia, Quebec and Saskatchewan. In Ontario, a worker who ceases to be employed before working a full year is entitled to vacation pay credits in the form of stamps. A worker must have been employed for at least 30 days in Alberta and for at least three months in Nova Scotia in order to be eligible for vacation pay. In Ontario, an employee who leaves his employment of his own accord must have been employed for at least three months in order to qualify for vacation credit; where, however, the employment is terminated by the employer, the employee must be given vacation credit for whatever time he has been employed. Payment is made at the rate of 4 per cent of regular pay in Alberta, 4 per cent of earnings in British Columbia, $\frac{1}{26}$ or $\frac{3}{52}$ of earnings, depending on the year of employment, in Saskatchewan, and 2 per cent of earnings in the other provinces.

A stamp system of vacation pay credits is in effect in Alberta, Nova Scotia and Ontario for workers in the construction industry who are frequently employed by several employers during a year. In Ontario, as indicated above, the stamp system is used in any industry under the Act if

employment is terminated during a working year. In Alberta and Nova Scotia, there is provision in the legislation for the use of the stamp system in industries other than construction, and in British Columbia, the board which administers the Act has authority to establish a system of vacation credits.

Under the vacation stamp system, the employer is required to affix vacation with pay stamps to the worker's stamp book at the end of each pay period in Alberta, or in Nova Scotia and Ontario, when the employment ends. In Ontario, stamps must be affixed within 10 days after the worker presents his book; in Nova Scotia, the employer must furnish the worker with a stamp book within 10 days after his employment is terminated and affix to the book the requisite amount of stamps. Stamps are equivalent to 2 per cent of the worker's earnings in Nova Scotia and Ontario and to 4 per cent in Alberta.

Stamps may be exchanged for their cash value at a savings bank at any time within the 12 months beginning on January 15 in each year in Alberta, at any time after the anniversary date of the worker's employment in Nova Scotia, and after June 30 in each year in Ontario.

In Manitoba, the vacation stamp system previously in effect for transitory employees in the construction industry in the Greater Winnipeg area was replaced from July 1, 1960, by a system of cheques issued by the Department of Labour annually.

Under this system, an employer is required to make payment of vacation pay credits (4 per cent of the wages earned in the pay period) to the Minister of Labour within five days after each regular pay-day or within such other times as may be prescribed. Upon request, the Minister may authorize the remittance of vacation pay credits within 15 days after the end of the month in which wages were earned.

With the remittance, the employer must furnish specified information for departmental records, including the name and address of the employer, the name of each employee, his unemployment insurance number or the departmental number assigned to him, amount of wages exclusive of overtime earned during the pay period, and vacation pay credits for the period. The employer is also required to give written notice to the employee of the amount of vacation pay credited to his account. Vacation moneys are deposited in a special division of the Consolidated Fund.

Payment of vacation pay to the employee is made by cheque after the first day of July in each year. The cheque, representing the accumulated vacation pay credits of the employee, less a charge for administrative costs, is sent to the employer reporting a vacation pay credit for the employee for the last pay period in the month of June.

An unemployed construction worker in the Greater Winnipeg area who is registered with the National Employment Service but has not been directed to a job and who has exhausted his unemployment insurance benefits may obtain his vacation pay at any time after November 30 in any year.

Minimum wage orders in Prince Edward Island governing women workers in restaurants in Charlottetown and Summerside and in laundries

throughout the province require these workers to be granted a week's vacation with full pay after a year of continuous employment and a two weeks' vacation after two years' service.

PUBLIC HOLIDAYS

Only two provinces, Manitoba and Saskatchewan, have provisions of general application dealing with public holidays.

In Saskatchewan, the Minimum Wage Board, acting under authority conferred on it by the Legislature in 1947, requires full-time employees who do not work on any of eight public holidays to be paid their regular pay. The eight holidays are New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, Remembrance Day and Christmas Day.

If required to work on a holiday, employees in all workplaces except hotels, restaurants, hospitals, nursing homes and educational institutions must receive, in addition to their regular pay for the holiday, time and one-half the regular rate for every hour or part of an hour worked, in effect, two and one-half times their regular pay.

Full-time workers in hotels, restaurants, hospitals, nursing homes and educational institutions who are required to work on a holiday must be paid, in addition to their regular pay, wages at the regular rate or they may be granted equivalent time off at regular rates within four weeks.

When Christmas or New Year's Day falls on Sunday, the requirements set out above apply to the following Monday. They also apply when the Monday following Remembrance Day is declared a holiday. By agreement between an employer and a trade union representing a majority of the employees in an appropriate bargaining unit, another working day may be substituted for any of the eight listed holidays. Where workers are not represented by a trade union, the Minister of Labour may by order permit a similar substitution, if he is satisfied that the employer and a majority of the employees are in favour of the change.

The Manitoba provisions, which were enacted in 1951 and which are now contained in the Employment Standards Act, prohibit work on specified public holidays unless an overtime rate is paid.

In all employment except farming, subject to the exceptions noted below, workers are entitled to time and one-half their regular rate if required to work on seven "general holidays"—New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day and Christmas Day.

For workers employed in a continuously operating plant, a seasonal industry, a place of amusement, a gasoline service station, a hospital, a hotel or a restaurant, or in domestic service, compensatory time off with pay may be substituted, in accordance with custom or agreement. Domestic servants may be granted two half-days off in lieu of a holiday. The compensatory time off must be given within 30 days of the holiday, unless another date is fixed at the request of the employee.

A special Act in Manitoba deals with the observance of Remembrance Day. Except in farming and certain essential services, work may not be performed except by permit from the Minister of Labour. Overtime provisions are not applicable on Remembrance Day. Any employee, other than a watchman, furnace tender or janitor, who is required to work and who is paid at his regular rate of pay must be granted equivalent compensatory time off, without loss of pay, within 30 days.

Provisions in minimum wage orders in Nova Scotia, Prince Edward Island, Manitoba and Alberta deal with the question of pay for public holidays to the extent of prohibiting deductions from the minimum wage for time not worked on a holiday.

Nova Scotia minimum wage orders, which are applicable to women workers only, prohibit any deduction from the minimum weekly wage for time not worked because of public holidays, if an employee has worked all the scheduled working days in the week during which the holiday occurs, and in the case of a holiday falling on Monday, if she worked the last scheduled working day immediately before the holiday.

The Prince Edward Island minimum wage orders applying to women workers in restaurants in Charlottetown and Summerside and a five-mile radius of each and in laundries throughout the province contain provisions similar to that in the Nova Scotia orders noted above. They provide, in addition, that a worker who is required to work on a public holiday must be granted a day off without deduction within 14 days.

In Manitoba, both men and women workers are protected against a reduction in the minimum weekly wage for time not worked on a general holiday (as listed above) which falls on a regular working day. Where an employee does not work on a holiday but does work the regularly scheduled hours on all the other working days in the week, it is to be presumed, for the purpose of determining the minimum amount of wages to be paid to the employee for that week, that he worked regular hours on the holiday. An employee does not lose the benefits of this provision through being absent on either the day before or the day after the holiday because of established illness or with the employer's consent.

The Alberta minimum wage orders forbid an employee to reduce the wages of a full-time employee of either sex below the prescribed minimum wage by making a deduction for time not worked on a holiday when the employer's place of business is closed. In any minimum wage order the Board may provide that for work done on a holiday the overtime rate must be paid.

The Factories Act of British Columbia makes it mandatory for factories, with the exception of certain continuous industries, to close on specified public holidays unless the inspector gives permission for employment, but it does not deal with the question of pay for the holidays. The establishments for which a permit is not required are those engaged in the production of light, heat or power, railway and street railway repair shops, metallurgical works, bakeshops in a municipality, milk processing and distributing plants, oil refineries, factories manufacturing cement, glass or chemicals, and laundries operated in conjunction with hospitals.

Public holidays, under the Factories Act, include Christmas, New Year's Day, Victoria Day, Dominion Day, Labour Day, Remembrance Day, any day declared to be a public holiday by Proclamation, and, at the option of the employer, either Good Friday or Easter Monday. Boxing Day (December 26) and Thanksgiving Day are proclaimed each year as holidays under the Factories Act.

Shops in all municipalities in British Columbia must be closed on the holidays listed above, including both Good Friday and Easter Monday, and on Boxing Day, the Queen's Birthday and Thanksgiving Day. There is also legislation in Newfoundland requiring shops to be closed on 12 specified public holidays and on one additional holiday fixed by the municipality.

Provisions prohibiting work on specified public holidays except with permit, stipulating that certain holidays must be observed as paid holidays, or requiring the payment of an overtime rate for work done on specified holidays are regular features of the decrees under the Quebec Collective Agreement Act and of industrial standards schedules in Alberta, New Brunswick, Nova Scotia, Ontario and Saskatchewan. These provisions, while regulating a considerable portion of industry, particularly in Quebec, apply only to certain trades and areas in the province concerned. They are not dealt with in this bulletin.

MAXIMUM HOURS OF WORK

Five provinces have Acts of general application limiting working hours (the Alberta Labour Act, Part I; the British Columbia Hours of Work Act; the Manitoba Employment Standards Act, Part III; the Ontario Hours of Work and Vacations with Pay Act; and the Saskatchewan Hours of Work Act).

These Acts are of two types. Those of Alberta, British Columbia and Ontario set daily and weekly limits on hours, and provide that work may not continue beyond these limits without the permission of the administrative authority. The Manitoba and Saskatchewan Acts do not, strictly speaking, impose limits on hours. They provide instead that time and one-half the regular rate must be paid where work is carried on beyond specified daily or weekly hours (in Manitoba, after 8 and 48 hours for men and 44 hours for women; in Saskatchewan, after 8 and 44 hours). A 1958 amendment to the Saskatchewan Act, however, empowered the Lieutenant-Governor in Council to limit daily hours in any class of employment. Where any such regulation is made governing a particular occupation, work beyond 12 hours in a day is prohibited, unless authorized in writing by the Minister of Labour.

Exemptions from the standards imposed are permitted under all the Acts.

In Alberta, an order made under the Alberta Labour Act limits working hours in all centres with a population of over 5,000 to 8 in a day and 44 in a week. In the rest of the province the 8 and 48-hour limits set by the Act apply. The British Columbia Act sets a maximum of 8 hours in a day and 44 hours in a week. In both Alberta and British Columbia, the administrative board has statutory power to permit exceptions and where it permits hours

limits to be exceeded it may fix the minimum wage payable for overtime. In both provinces the board has made special orders for some industries, exempting workers entirely from hours limitations or permitting them to work a maximum number of additional hours, subject to definite overtime pay requirements.

The Ontario Act limits working hours to 8 in a day and 48 in a week. Provision is made in a general order for the working of overtime in any establishment, with the approval of the administrative board, to the extent of 100 hours in each year for each employee. Engineers, watchmen, firemen, shippers and other persons engaged in non-productive work may, with board approval, work 12 hours' overtime in each week.

In Saskatchewan, it has been necessary to provide for some relaxation of the provisions of the Act, and regulations permit a 48-hour week to be worked in workplaces, other than factories, in the smaller centres before overtime rates apply. Other regulations permit hours to be averaged over a specified period, thus allowing some variation from week to week. Certain classes of employment have been entirely exempted from the Act.

The Manitoba Act applies only in the chief industrial areas of the province.

Under all the Acts, there is provision for working 9 or more hours in a day in order to establish a 5-day week, provided the weekly maximum is not exceeded. The Acts also stipulate that hours may be exceeded in emergencies.

Maximum hours fixed under hours of work laws and the application of each Act in general terms are set out on page 18.

Apart from general hours of work laws, working hours are regulated to some extent under other statutes. Schedules under industrial standards legislation in five provinces, the Fair Wage Schedule issued annually under the Manitoba Fair Wage Act and decrees under the Quebec Collective Agreement Act limit hours in construction and other industries. The Manitoba Fair Wage Schedule applies to public construction work throughout the province and to private construction work in cities and towns with a population exceeding 5,000. Schedules and decrees in the other provinces apply to designated zones; a number apply throughout the province. Generally speaking, maximum weekly hours fixed by schedules and decrees for the construction trades range from 40 to 48 but 50, 54 and 55-hour limits are in effect in some areas of Quebec. In all provinces a 40-hour week is the usual standard for the construction industry in the larger centres. In another industry regulated by schedules and decrees in Ontario and Quebec, the manufacture of men's and ladies' clothing, maximum weekly hours are usually $37\frac{1}{2}$ or 40. A 47-hour week is in effect for the shoe industry in Quebec.

Mining legislation in New Brunswick and Nova Scotia, which sets a maximum 8-hour day for underground work in mines, provides the only statutory regulation of hours of work of miners in those provinces; hours of work Acts apply to mining in other provinces. The Quebec Mining Act sets a maximum 48-hour week for work below ground for boys under 17.

PROVINCE	DAILY AND WEEKLY LIMITS	APPLICATION
Alta.	8, 44 (centres over 5,000) 8, 48 (rest of province)	All employment except farm labour and domestic service. Exceptions allowed for some industries (e.g., trucking, taxicab, lumbering, highway and pipeline construction).
B.C.	8, 44	Applies to industries in Schedule, including mining catering manufacturing elevator operators construction hotel clerks barbering truck drivers mercantile bus operators baking Exceptions allowed for some industries (e.g., trucking, logging, fruit and vegetable canning, bus operators).
Ont.	8, 48	Industrial undertakings. Funeral directing, grain elevators, commercial fishing, stevedoring and a few other occupations excluded.
Man.	Limits of 8, 48 (men) and 8, 44 (women) apply unless time and one-half the regular rate is paid in chief industrial areas of province.	Applies to industries in Schedule, including mining baking manufacturing milk processing barbering and distribu- hairdressing tion offices catering mercantile road transport insurance elevator operators hotel clerks
Sask.	Limits of 8, 44 (8, 48 in smaller centres) apply unless time and one-half the regular rate is paid.	Most employment. Farm workers, domestic servants in private homes, janitors in residential buildings, logging, fishing and fish-processing, road construction excluded. Exceptions allowed for some industries (e.g., oil truck drivers, newspaper staff, pipeline construction).

In New Brunswick and Quebec, provisions in factory legislation restricting working hours of women and boys under 18 (to 9 and 54 hours in New Brunswick and 10 and 55 hours in Quebec) are still in effect. In

Ontario, the limits set by the Factory, Shop and Office Building Act for women and boys under 16 (10 and 60 hours) would apply when an exemption is permitted under the general hours of work law, prohibiting any extension of hours beyond those limits. The Saskatchewan Factories Act prohibits employment of women beyond 48 hours in a week. The Nova Scotia Factories Act limits hours of boys and girls under 16 to 8 in a day and 48 in a week.

In Newfoundland, the Hours of Work Act, 1963, limits working hours of shop employees throughout the province to 8 in a day and 40 in a week unless one and one-half times the regular rate is paid.

Under fair wage legislation in Ontario and British Columbia, workers employed on projects undertaken under contract with the provincial Government may not work more than 8 hours in a day or 44 hours in a week, except in special circumstances. Under similar legislation in New Brunswick, there is no daily limit on working hours but weekly hours may not exceed 44.

There is also some indirect regulation of hours by virtue of provisions in minimum wage orders requiring the payment of an overtime rate after a specified number of hours of work. Overtime rates fixed under minimum wage orders are shown on page 24.

Minimum wage orders in Manitoba limit the number of hours of overtime which a woman may work to 3 in a day, 12 in a week and 24 in a month.

MINIMUM WAGE RATES

All the Canadian provinces have minimum wage laws. In Nova Scotia, minimum rates are in effect for women workers only, since the Male Minimum Wage Act, 1945, has not been proclaimed in effect. Ontario set minimum rates for male workers for the first time in 1963. New minimum wage scales applying to both sexes were put into effect in the Toronto-Hamilton-Oshawa zone on June 30, and rates are to be fixed progressively for other parts of the province. In New Brunswick, minimum rates have been established for male workers in the logging, sawmilling, garment, and canning and packing industries; female rates apply to practically all occupations in which women are employed. In Prince Edward Island, a general male minimum wage is in effect; the only female rates which have been set are for restaurant workers in Charlottetown and Summerside and for laundry workers throughout the province.

In Newfoundland, New Brunswick, British Columbia and Prince Edward Island, minimum rates apply throughout the province. In the remaining provinces there are regional differentials in minimum rates.

Nova Scotia is divided into three zones for minimum wage-setting purposes; in Quebec there are two zones. Under regulations applying wholly to women, Ontario was divided into three zones. Under the new minimum wage program being put into effect for both sexes, the province will again be divided into zones, and the first of these has been designated. In Alberta, Manitoba and Saskatchewan, a distinction is made for minimum wage purposes between urban and rural areas, centres with over 5,000 population in Alberta being classed as urban.

In Nova Scotia, Zone I consists of Halifax, Sydney, Glace Bay, Amherst, Dartmouth, New Glasgow, New Waterford, North Sydney, Sydney Mines and Truro; Zone II comprises Annapolis Royal, Antigonish, Berwick, Bridgetown, Bridgewater, Canso, Clark's Harbour, Dominion, Digby, Hantsport, Inverness, Kentville, Liverpool, Lockeport, Louisburg, Lunenburg, Mahone Bay, Middleton, Mulgrave, Oxford, Parrsboro, Pictou, Port Hawkesbury, Shelburne, Springhill, Stellarton, Stewiacke, Trenton, Westville, Windsor, Wolfville and Yarmouth; Zone III consists of the rest of the province.

In Quebec, Zone I consists of the Greater Montreal area (including the Island of Montreal, Ile Jesus, Ile Bizard and the County of Chambly); Zone II takes in the remainder of the province.

In Ontario, the first zone for which male and female rates were established consists of Metropolitan Toronto and the areas extending to and including the cities of Hamilton and Oshawa. It includes, besides the three cities, 16 towns, 8 villages and 18 townships. Outside the newly-designated zone, the general order for women continues to apply. Zone I under this order now comprises the cities of Windsor, Ottawa and London; Zone II consists of centres of 3,000 population and over; and Zone III includes places with under 3,000 population.

Minimum wage boards in all provinces except British Columbia issue general or blanket orders setting rates which apply to most workers in the province (or to most male or female workers in the province, as the case may be). There are, in addition, in most provinces one or more special orders setting different rates for a particular industry, occupation or class of workers. The British Columbia board issues a separate order for each industry or occupation.

For purposes of comparison, the minimum rates shown in the three tables which follow are set out not as general rates but as applying to specific workplaces—factories, shops, offices, hotels and restaurants.

Weekly rates are set in some provinces, hourly rates in others.

In Manitoba, Saskatchewan and Alberta, the boards have set minimum rates for young workers. In Manitoba, a minimum rate of 48 cents an hour is in effect for workers under 18. In Saskatchewan, workers under 18 must be paid \$2 less than the adult rate, that is, \$32 a week in the cities and a five-mile radius and \$30 a week in the smaller centres. In Alberta, adult rates apply to workers over 19. In the larger centres (over 5,000 population) the minimum rate is \$26 a week for workers under 18 and \$30 a week for those between 18 and 19 years. In the remainder of the province the corresponding rates are \$22 and \$26. The new orders in Ontario for the Toronto-Hamilton-Oshawa zone set a minimum of 80 cents an hour for persons under 18 working as messengers, delivery boys, news vendors or pin setters in bowling alleys. Minimum rates in Newfoundland orders apply to employees over 17. The general minimum wage order for men in Prince Edward Island excludes persons under the age of 21 years.

The majority of the separate orders issued in British Columbia set minimum rates which may be compared to the rates set in general

orders in other provinces. Seventeen orders fix a minimum wage of \$1 an hour. These cover, among others, factories, shops, offices, hotels, restaurants, hospitals, laundries, fresh fruit and vegetable canning, fish processing, logging and sawmills, woodworking, metal mining, truck drivers, bus operators and patrolmen. At the same time the board has in a fairly large number of orders set minimum rates for workers having special skills, taking into consideration the prevailing rates in the trade concerned. Such rates are usually considerably in excess of \$1 an hour. The rate set for construction labourers is \$1.30 an hour, for pipeline construction and oil well drilling \$1.30 an hour, for electronic technicians \$1.50 an hour, and for journeymen-tradesmen in the shipbuilding industry \$1.75 an hour. For automotive mechanics, construction tradesmen, machinists, moulders, refrigeration mechanics and sheet metal workers the minimum rate is \$2 an hour.

1. Minimum Rates for Experienced Workers*

Establishment	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Factories Shops Offices	per hour 50¢ (women) 70¢ (men)	per hour 95¢ \$1. from May 1, 1964 (men only) ¹	per week \$21.60, Zone I \$19.20, Zone II \$14.40, Zone III (women only) ²	per hour 60¢ (women only) ⁴	per hour 70¢, Zone I 64¢, Zone II ⁵	per hour Toronto-Hamilton- Oshawa zone: 95¢ \$1. from March 31, 1964 (women) ⁶ \$1 (men) ⁶ rest of province: per week \$30, Zone I \$38, Zone II \$26, Zone III (women only)	per hour 75¢, cities 70¢, rural	per week \$34, ten cities and five-mile radius \$32, rest of province	per week \$34, centres over 5,000 population \$30, rest of province	per hour \$1 ⁷
Hotels Restaurants	As above	As above (men only) Restaurants in Charlottetown and Summerside and five-mile radius: per week \$21, waitresses \$16, other female workers (Charlottetown) \$23, female cashiers (Summerside)	As above ³	55¢ (women only)	64¢, Zone I 60¢, Zone II	As above	As above	As above	As above	As above

*For description of zones, see page 20.

¹ 80¢ per hour for male workers in food processing plants; 55¢ per hour for female laundry workers.

² 45¢ per hour for women workers in fish processing.

³ Rate applicable to city or town applies to hotels and restaurants within 20 miles between June 1 and September 30.

⁴ 60¢ per hour for male and female workers in the garment industry; 65¢ per hour for male workers in canning or processing of fish, vegetables or fruit; \$1.05 per hour for workers in sawmills and woodworking plants.

⁵ \$1.10 per hour in Zone I and \$1 per hour in Zone II for workers in sawmills; \$1.15 in Zone I and \$1.05 in Zone II for workers in woodworking plants; rates for skilled employees such as machinists and stationary engineers are 15 cents an hour higher than the general rates.

⁶ 80¢ per hour for seasonal workers who work not more than 16 consecutive weeks in year in plants processing fruits and vegetables.

⁷ \$1 per hour for workers in fruit and vegetable canning; fish processing; laundry, cleaning and dyeing industries; and in sawmills and woodworking plants.

2. Minimum Rates and Learning Periods for Inexperienced Workers*

Establishment	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Alta.	B.C.
Factories Shops Offices	per hour Except for seasonal or casual workers, minimum rate becomes effective 60 days from date of hiring (men only) During probationary period of 30 days in laundries: 50¢ (women only)	per week During probationary period of 90 days: \$18, Zones I and II (women only)	per hour During first 9 months of employment in garment industry: 50¢	per hour During first 6 months of employment: 56¢, Zone I 52¢, Zone II	per hour Toronto-Hamilton-Oshawa zone: During first 4 months of employment: 85¢ 90¢, from March 31, 1964 (women) ¹ 90¢ (men) ¹ rest of province: per week During 2 three-month periods: \$26, \$28, Zone I \$24, \$26, Zone II \$22, \$24, Zone III (women only) ²	per hour Rates and learning period to be set out in permit granted by Minister. Learning period may not exceed 6 months and starting rate must be at least 75% of minimum rate. ³	per week During 2 four-week periods in garment industry: \$28, \$30, centres over 5,000 population \$24, \$26, rest of province (women only) ⁴	per hour During 3 one-month periods: 85¢, 90¢, 95¢
Hotels Restaurants	As above for male workers per week During probationary period of 60 days in Summerside and 30 days in Charlottetown in restaurants: \$18, waitresses \$20, female cashiers (Summerside only)	As above	—	—	—	As above	—	As above

* For description of zones, see page 20. The Newfoundland and Saskatchewan orders make no provision for lower rates for learners.

¹ Not more than 20% of the total number of employees in an establishment may be employed as learners.

² Not more than 20% of the women workers in an establishment may be classified as inexperienced.

³ The Minister of Labour may fix, at not more than 25%, the percentage of women workers that an employer may employ as learners.

⁴ Not more than 25% of the workers employed by an employer in the garment industry may be paid learners' rates.

⁵ A month is defined as a period of 22 working shifts.

3. Overtime Rates

Establishment	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Factories Shops Offices Hotels Restaurants	For hourly-paid workers, 1½ times the minimum rate after 8 hours and for work on Sunday; for workers paid a fixed weekly or monthly wage, 1½ times the minimum rate after 48 hours.	1½ times the minimum rate after 48 or normal hours, if less, in restaurants in Charlotte-town and Summerside and five-mile radius (women only).	1½ times the minimum rate after 48 or normal hours, if less (women only).	1½ times the minimum rate (90 cents per hour in factories, shops and offices, 83 cents per hour in hotels and restaurants) after 48 hours (women only).	1½ times the minimum rate after the hours in the "regular workweek". Regular work-week for factories, shops and offices is 48 hours; for hotels and restaurants it is 54 hours. ¹	Pro rata after normal week (women only).	1½ times the minimum rate after 8 and 44 hours (women) and after 48 hours (men). ²	1½ times the regular rate after 8 and 44 hours; but after 48 hours in shops and offices in centres with under 500 population, and after 48 hours in hotels and restaurants in centres other than cities. ⁴	1½ times the regular rate after 9 and 48 hours or after lesser hours prescribed by Board (after 44 hours in centres with over 5,000 population).	1½ times the regular rate after 8 and 40 hours. ⁵

¹ Workers paid on a yearly, monthly or weekly basis at least \$60 a week in Zone I and \$55 in Zone II, whether or not they work a full week, are not entitled to payment for overtime. For description of zones, see page 20.

² Applies only to employment which is not within the scope of Part III of Employment Standards Act (hours of work legislation). The latter applies to the major industries in the chief industrial areas of the province (page 18).

³ Overtime payable after 9 and 44 hours in case of 5-day week.

⁴ Provision for overtime in Saskatchewan is contained in Hours of Work Act and orders.

⁵ Where the Board approves an agreement under which hours limits may be exceeded, provided the weekly average over a specified period does not exceed 44 hours, the overtime rate must be paid after an average of 40 hours in a week.

EQUAL PAY

Eight provinces, Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Prince Edward Island and Saskatchewan, have equal pay laws. The Alberta legislation forms Part VI of the Alberta Labour Act. In Ontario and Nova Scotia, equal pay, fair employment practices and fair accommodation practices laws have been combined in one statute (the Ontario Human Rights Code and the Nova Scotia Human Rights Act).

The British Columbia, New Brunswick, Nova Scotia, Ontario and Prince Edward Island Acts prohibit an employer from paying a female employee at a rate of pay less than the rate paid to a male employee for *the same work done in the same establishment*. The Saskatchewan Act contains a similar prohibition but refers to *work of comparable character done in the same establishment*. The Manitoba and Alberta statutes are alike in referring to *identical or substantially identical work* but the Manitoba Act differs from the other Acts in that it forbids discrimination against either sex in the payment of wage rates. Under the Manitoba Act an employer is forbidden to pay to the employees of one sex wages on a scale different from that on which wages are paid to employees of the other sex in the same establishment, *if the work required of, and done by, employees of each sex is identical or substantially identical*. The Alberta Act forbids an employer to employ a female employee for any work at a lesser rate of pay than the rate at which he employs a male employee for *identical or substantially identical work*. Differences in rates of pay based on a factor other than sex do not constitute failure to comply with the requirements of the Acts. In all the Acts except that of Alberta, "establishment" is defined as a place of business or the place where an undertaking or part of an undertaking is carried on. The Manitoba, New Brunswick and Saskatchewan Acts were made applicable to provincial government employees.

Under all the Acts, enforcement begins with the filing of a written complaint. In four provinces a person claiming to have been discriminated against may register a complaint with a designated officer of the Department of Labour. In New Brunswick a complaint must be lodged with the Minister of Labour, in Alberta with the Chairman of the Board of Industrial Relations, in Prince Edward Island with the Labour Relations Board, and in Ontario with the Ontario Human Rights Commission.

In all provinces except Prince Edward Island the legislation provides for an informal inquiry into a complaint (in Ontario by the Ontario Human Rights Commission and in the other provinces by an officer of the Department of Labour—in Manitoba, by an officer of the Department of Labour or any other person). If the person designated to make the inquiry is unable to settle the matter, a board or commission of one or more persons may be appointed to ascertain the facts and to make recommendations in New Brunswick, Nova Scotia, Ontario and Saskatchewan. In Alberta and British Columbia, the matter may be referred to an existing board, the Board of Industrial Relations. Under the Manitoba Act, the

second stage of the procedure is the appointment of a referee, who may or may not be an officer of the Department of Labour, to make an inquiry with a view to the settlement of the complaint and to recommend to the Minister the course that ought to be taken. All these Acts provide that the parties to the complaint must be given full opportunity to present evidence and to make representations. The recommendations of the board, commission or referee, as the case may be, may be put into effect by an order of the Minister of Labour (in Alberta, an order of the Board of Industrial Relations). Compliance with the order is required.

The Prince Edward Island Act authorizes the Labour Relations Board to "inquire into the complaint and endeavour to effect a settlement of the matters complained of". There is no provision in the Act for a Board order, with which compliance is required.

In Manitoba, an information may be laid against an employer who fails to comply with an order of the Minister and the magistrate may order the employer to pay any wages found to be due to the employee. In Alberta, an employer convicted of an offence under the equal pay provisions of the Act is made liable for the payment of whatever additional remuneration the employee would have received if the employer had complied with the Act, subject, however, to a limitation of six months' wages.

In Manitoba, the failure of an employee to lodge a complaint with the Minister within 30 days after receiving his or her first wages at an unlawful scale bars the employee from making a complaint and having it dealt with under the Act.

WORKMEN'S COMPENSATION

All provinces have a workmen's compensation law of the "collective liability" type.

In each province a Workmen's Compensation Act applicable to most industries and occupations provides for the payment of compensation to a workman or his dependants in case of accident or industrial disease arising out of and in the course of employment. The only exceptions are (1) where the workman is disabled for less than a stated number of days, or (2) where the injury is attributable solely to his serious and wilful misconduct and does not result in death or serious disablement.

Compensation is payable by employers collectively. Compensation, medical expenses and other benefits are paid from a provincial Accident Fund built up by annual assessments, in the form of a percentage of payroll, levied on employers covered by the Act. For assessment and compensation purposes, industries are classified according to their hazard and each class is liable for the cost of accidents occurring in that class. No contributions from employees are permitted.

The compensation to which a workman is entitled under the Act takes the place of his right of action, and he may not sue his employer in court for damages for an injury sustained in the course of employment.

Benefits under the Acts include periodic payments to the workman during the period of temporary disablement (in all provinces on the basis

of 75 per cent of average earnings, subject to the maximum annual earnings provided in the Act); an award for permanent disability (based on 75 per cent of average earnings) in the form of a monthly pension for life or, when disablement is slight, paid in a lump sum; all necessary medical aid, including hospitalization; and rehabilitation. In case of death by accident, fixed monthly payments are made to dependants. In addition to a monthly pension, a widow receives a lump sum payment and an allowance for funeral expenses.

The benefits payable under the Acts are set out on the following pages.

NOTE: For further information about workmen's compensation laws, see the annual bulletin *WORKMEN'S COMPENSATION IN CANADA* published by the Department of Labour of Canada and available from the Queen's Printer, Ottawa. Price 35 cents.

1. Monthly Benefits to Dependents in Case of Death of Workman

Funeral	Widow or Invalid Widower	Children with Parent	Orphans	Where only dependants are other than consort and child	Maximum
\$300 ⁴	\$75 plus sum of \$200	Under 16, \$25 each ¹	Under 16, \$35 each ¹	NEWFOUNDLAND Sum reasonable and in proportion to pecuniary loss ²	75% of earnings. Minimum \$75 to consort, \$25 to each child or \$35 to orphan child unless total benefits exceed \$150 ³
\$300 ⁴	\$65 plus sum of \$200	Under 16, \$20 each. ¹	PRINCE EDWARD ISLAND Under 16, \$30 each. ¹	As in Newfoundland. Maximum to parent or parents, \$40. Maximum in all, \$80 ²	75% of earnings but Board may waive the 75% restriction where circumstances require it ³
\$250 ⁴	\$75 plus sum of \$150	Under 16, \$25 each ¹	Under 16, \$35 each ¹	NOVA SCOTIA As in Newfoundland. Maximum \$45 each. Maximum in all, \$60 ²	
\$300 ⁴	\$75 plus sum of \$200	Under 21, if attending school, \$25 each ¹	Under 21, if attending school, \$50 each ¹	NEW BRUNSWICK As in Newfoundland ²	75% of \$4,000 per year ³
\$600 ⁴	\$75 plus sum of \$300	Without age limit if attending school; otherwise, under 18; \$25 each	Under 18, \$35 each ¹	QUEBEC As in Newfoundland ²	75% of earnings. Minimum \$100 to consort and one child; \$125 to consort and two children; \$150 to consort and more than two children ³
\$300 ⁴	\$75 plus sum of \$300	Under 16, \$40 each ¹	Under 16, \$50 each ¹	ONTARIO As in Newfoundland. Maximum \$100 ²	Average earnings. Minimum \$75 to consort, \$25 to each child or \$35 to orphan child unless total benefits exceed \$150 ³
\$200 ⁴	\$75 plus sum of \$300	Under 16, \$35 each ¹	Under 16, \$45 each ¹	MANITOBA Maximum to wholly dependent mother, \$75. Other dependants—as in New- foundland. Maximum \$30 each. Maximum in all, \$60 ²	75% of earnings. Minimum \$75 to consort; \$110 to consort and one child; \$145 if move ³

\$250 ⁴	\$110 plus sum of \$300 ⁵	Under 16, \$15 each ¹	Under 16, \$60 each, plus a sum not exceeding \$50 at the discretion of the Board ¹	SASKATCHEWAN As in Newfoundland ²	Average earnings. Minimum \$110 to consort; \$155 to consort and one child; \$200 to consort and two children and \$20 for each additional child ^{3, 6}
\$250 ⁴	\$75 plus sum of \$200	Under 16, \$40 each ¹	Under 16, \$40 each. Additional amount not exceeding \$25 may be paid to any child under 18 ¹	ALBERTA As in Newfoundland. Maximum to parent or parents, \$50. Maximum in all, \$85	
\$250 ⁴	\$90 plus sum of \$250	Under 16, \$35 each ¹ ; if attending school, \$35 between 16 and 18 years	Under 18, \$40 each ¹ ; \$37.50 if able to attend school between 16 and 18 years and not attending	BRITISH COLUMBIA (a) As in Newfoundland. Maximum \$90 to parent or parents. Maximum in all, \$90. (b) If there is widow or invalid widower or orphans, maximum to parent or parents, \$90 ²	

¹ In Alberta, Manitoba, Newfoundland, Nova Scotia and Ontario payments to children may be made up to 18 years, in Saskatchewan up to 19 years, and in Prince Edward Island up to 21 years, if desirable to continue education. In Alberta, Newfoundland and Prince Edward Island, payments to invalid children are continued so long as Board considers workman would have contributed to support. In British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan, payments are continued until recovery.

² Compensation in these cases is continued only so long as Board considers workman would have contributed to support.

³ For maximum earnings that may be reckoned, see Table 2, Column 5.

⁴ For transporting body for burial, a maximum of \$150 in Quebec, of \$125 in Newfoundland and New Brunswick and of \$100 in Alberta, British Columbia, Nova Scotia and Prince Edward Island may be paid. No maximum is specified in Ontario and Saskatchewan. In Manitoba, the Board may pay transportation expenses within the province and part of expenses if the body is moved into or from the province. In Alberta and British Columbia, only transportation expenses within the province are allowed. In Alberta, Manitoba and Saskatchewan, compensation may include payment for burial plot, not exceeding \$50.

⁵ Monthly pension of \$75 after the age of 70.

⁶ If consort is over 70, amounts are \$75, \$110 and \$145, respectively.

2. Benefits in Case of Disability

Total	PERMANENT		Total	TEMPORARY		Maximum Earnings Reckoned
	Partial			Partial		
75% of earnings. Minimum \$65 per month or earnings, if less	NEWFOUNDLAND Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}		75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident, for duration of disability. ^{1,2}		\$4,000 per an.
75% of earnings. Minimum \$20 per wk. or earnings, if less	PRINCE EDWARD ISLAND 75% of difference in earnings before and after accident or compensation may be based on impaired earning capacity estimated from the nature of the injury. ^{1,2,3}		75% of earnings for duration of disability. Minimum \$20 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability. ^{1,2,3}		\$5,000 per an.
75% of earnings. Minimum \$110 per month or, if the workman has more than one child under 16, the amount which a widow with the same number of children would receive	NOVA SCOTIA 75% of difference in earnings before and after accident or compensation may be based on impaired earning capacity estimated from the nature of the injury. If disability 25% or more, average earnings must be taken as not less than \$18.75 per wk. ¹		75% of earnings for duration of disability. Minimum \$20 per wk. or earnings, if less	75% of difference in earnings before and after accident for duration of disability. ^{1,2}		\$1,200 per an.
Average earnings but not in excess of 75% of \$4,000	NEW BRUNSWICK Amount determined by Board, based on impaired earning capacity ¹		75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	If earning capacity diminished by more than 10%, 75% of diminution of earning capacity for duration of disability		\$4,000 per an.
75% of earnings. Minimum \$25 per wk. or earnings, if less	QUEBEC 75% of difference in earnings before and after accident or, where possible, compensation may be based on impaired earning capacity estimated from the nature of the injury. ^{1,2}		75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability. ^{1,2}		\$5,000 per an.

ONTARIO				
75% of earnings. Minimum \$100 per month of earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	75% of earnings for duration of disability. Minimum \$15 per w.k. or earnings, if less	75% of difference in earnings before and after accident for duration of disability ^{1,2}	\$6,000 per an.
MANITOBA				
75% of earnings. Minimum \$25 per w.k. or earnings, if less	75% of difference in earnings before and after accident, or where deemed just, compensation may be based on impaired earning capacity estimated from the nature of the injury ¹	75% of earnings for duration of disability. Minimum \$25 per w.k. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ¹	\$5,000 per an.
SASKATCHEWAN				
75% of earnings. Minimum \$30 per w.k.	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	75% of earnings for duration of disability. Minimum \$30 per w.k. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury for duration of disability ²	\$115.38 ² per w.k. (\$6,000 per an.)
ALBERTA				
75% of earnings. Minimum \$35 per w.k. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury ¹	75% of earnings for duration of disability. Minimum \$35 per w.k. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury for duration of disability	\$5,000 per an.
BRITISH COLUMBIA				
75% of earnings. Minimum \$25 per w.k. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	75% of earnings for duration of disability. Minimum \$25 per w.k. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident for duration of disability ^{1,2}	\$5,000 per an.

¹ If earning capacity is diminished 10% or less (5% or less in Alberta), a lump sum may be given.

² The minimum payable in case of partial disability is the same proportion of the minimum for total disability (see preceding column) as impairment is of full earning capacity.

³ Board may fix compensation on basis of \$15 per week, even though average earnings are less than that amount.

STATUTORY SCHOOL-LEAVING AGE

In all the provinces there is a compulsory school attendance law, but exemptions are permitted in case of illness, distance from school or lack of accommodation and, except in British Columbia, for home duties and for employment. Provisions as to exemption are shown below. The laws place restrictions on employment of children of school age during school hours.

Nfld.*	P. E. I.	N. S.*	N. B.	Que.*	Ont.*	Man.*	Sask.	Alta.*	B. C.
15. Exemption: With certificate for a stated period, but if child is under 12 for not more than 2 months in a school year, unless with approval of Minister ¹ .	16 unless has completed courses in public school. Attendance required for only 75% of term except in Charlottetown and towns where 90% attendance is required. Exemption: (1) For poverty; (2) If 12, for not more than 6 weeks in year ² .	16, cities and towns, 14 elsewhere but 15 or 16 may be fixed locally. Exemption: (1) If 12, for not more than 6 weeks in year ³ ; (2) If 13, with employment certificate. Medical certificate may be required.	16 unless has passed grade 11. 14 by resolution in rural districts unless has passed grade 8. Exemption: Not more than 6 weeks in term ⁴ .	15. Exemption: Not more than 6 weeks in year ⁴ . 15. Exemption: Not more than 6 weeks in year ⁴ .	16 unless has completed secondary school or equivalent. Exemption: Under 14, for not more than 6 weeks in term ⁴ ; 14-16, if home permit or employment certificate granted. Home permit unnecessary in rural districts but child reaching 14 years during school term must attend school to end of that term.	15 but child must attend until 16 if not employed in industry, home duties or farm work. 16 may be fixed by district. (School-leaving age of 16 years to go into effect from July 1, 1965). Exemption: Over 12, not more than 4 weeks in year ⁵ .	15 unless has passed grade 8. Exemption ¹ .	15 unless has passed grade 9 or equivalent. Exemption: If 12, not more than 3 weeks in term ¹ .	15 unless has completed course at nearest public school and transport to higher school not provided.

*Child reaching school-leaving age required to attend school to end of school year in Newfoundland, Nova Scotia, Ontario and Quebec, to end of term in Manitoba, and in Alberta, to end of June term if age reached in that term.

¹ If services needed for maintenance of self or others.

² If services needed in husbandry or other necessary employment.

³ If services needed in farming, home duties or other necessary employment.

⁴ If services needed in farming, home duties, maintenance of self or others.

⁵ If services needed in husbandry or home duties.

MINIMUM AGE FOR EMPLOYMENT

The minimum age for employment set by mines Acts and other provincial legislation (child labour laws, the Alberta Labour Act, the Manitoba Employment Standards Act, factory laws and minimum wage orders) is set out below. In most provinces the legislation (apart from mines Acts) covers certain other classes of establishments as well as those set out in the table. The Canada Shipping Act fixes a minimum age of 15 for employment at sea. No minimum age has been established for employment in agriculture.

Establishment	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
MINES	18, below ground	—	Coal: 18, below Metal: 16, above 18, below	Coal: — above 16, below Metal: 16, above 18, below	— above 15, below	16, above 18, below	16, above 18, below	Coal: 16 Metal: 16, above 18, below	17, above 17, below	Coal: 16, above 17, below Metal: 15, above 18, below
FACTORIES	—	15	14 ¹	16 except with permit	14 ^{2,3,4}	14 ¹	15	16	15	15 except with permit
SHOPS	—	—	—	16 except with permit	14 ^{2,3}	14 ¹	15 except with permit	—	15 ⁵	15 except with permit
HOTELS RESTAURANTS	—	—	14	16 except with permit	—	14 ¹ (restaurants only)	15 except with permit	16	15	15 except with permit

¹ 16 from 8 a.m. to 5 p.m. except with employment certificate or except on school holidays.

² The Government may exempt establishments from the Act.

³ 16 unless able to read and write fluently or attending night school. Permit from Provincial Employment Service required for employment between 14 and 16 years.

⁴ For certain dangerous trades, the minimum age is 18 for boys; for others, it is 16 for boys and 18 for girls.

⁵ Minimum age of 12 years in certain occupations, including work as clerk, delivery boy or delivery girl in retail store, with written consent of parent and subject to restrictions on hours (2 hours on a school day, 8 hours on any other day) if not injurious to life, limbs, health, education or morals.

FAIR EMPLOYMENT PRACTICES

Legislation prohibiting discrimination in hiring and conditions of employment and in trade union membership on grounds of race, colour, religion or national origin is in effect in British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario and Saskatchewan.

In general terms, all the Acts forbid discrimination on grounds of race, colour, religion or national origin. "National origin" in the Manitoba Act, however, is defined to include ancestry, and, in the New Brunswick Act, nationality and ancestry. Instead of "national origin" the British Columbia and Ontario Acts use the wording "nationality, ancestry or place of origin". The Nova Scotia and Saskatchewan Acts specify "ethnic or national origin" and include "religious creed" as well as "religion". On any of these grounds an employer may not refuse to employ or discharge any person or discriminate against any person in regard to employment or any term or condition of employment. A trade union is forbidden to exclude any person from membership, to expel or suspend any of its members, or to otherwise discriminate against a member or other person.

All the Acts expressly prohibit the publication of advertisements, the use of application forms, and, except in Manitoba, the making of inquiries, either written or oral, in connection with employment which express any limitation, specification or preference as to race, colour, religion or national origin. The Saskatchewan provisions prohibit any expression of discrimination or of intent to discriminate, and the inclusion in an application form, advertisement or inquiry of any question or request for particulars as to an applicant's race, colour, religion or national origin. The British Columbia, Manitoba, New Brunswick and Saskatchewan Acts allow an exception, however, where a limitation, specification or preference as to race, colour, religion or national origin is based upon a *bona fide* occupational qualification.

The prohibitions noted above are applicable to employment agencies as well as to employers, and the Manitoba, Nova Scotia and Saskatchewan Acts forbid an employer to use an employment agency which practises discrimination against persons seeking employment. In Manitoba, New Brunswick, Nova Scotia and Saskatchewan, employers and trade unions may not discharge, expel or otherwise discriminate against any person for making a complaint under the Act.

The Nova Scotia and Saskatchewan Acts apply to all employers regardless of the number of their employees. Under the other Acts, employers with fewer than five employees are excluded. Domestic servants employed in private homes are exempted from all the Acts. Non-profit charitable, philanthropic, fraternal, religious or social organizations are also excluded. The British Columbia Act is expressly stated to apply to schools operating under the Public Schools Act and in Saskatchewan, while educational institutions are covered, the right of a school or board of trustees to hire persons of a particular religion where religious instruction forms or can form part of the instruction provided is recognized. With these exceptions, educational institutions are excluded. The Manitoba, New

Brunswick and Saskatchewan Acts are applicable to provincial government employees.

The provisions for enforcement of the fair employment practices Acts are similar to those contained in the equal pay Acts. Action in all cases is initiated by the filing of a written complaint. The Acts provide first for an informal investigation and, as a second step, for the appointment of a commission of one or more persons to deal with a complaint which is not settled at the earlier stage. In British Columbia, the Board of Industrial Relations acts as a commission of inquiry. Upon receipt of the board's or commission's recommendations, the Minister may issue an order to put them into effect. Under the Manitoba Act, a person affected by an order of the Minister has the right to appeal to a judge; under the other Acts, the Minister's order is final and must be complied with. Prosecution under the Acts, for which the consent of the Minister is required, may result in a fine.

Educational anti-discrimination programs may be carried on in Manitoba, Nova Scotia and Saskatchewan under the authority given to the Minister (in Nova Scotia, the Lieutenant-Governor in Council) to undertake inquiries and other measures to promote the purposes of the Act. The Ontario Human Rights Commission, which administers the Ontario Human Rights Code, carries on a program of education to promote the elimination of discriminatory practices.

WEEKLY REST-DAY

Nine provinces—Alberta, British Columbia, Manitoba, Newfoundland, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan—provide for a weekly rest-day but the provisions vary in scope.

The Alberta Labour Act requires all employed persons except farm workers and domestic servants to be given a day of rest immediately following each period of not more than six consecutive days of work, unless the Board of Industrial Relations orders that the hours of rest be allowed in two periods or that a longer period than 24 hours be granted. The Act enables the Board to make special provision for days of rest in continuous industries and permits a consecutive rest period every four weeks or in relation to some other work period which the Board may deem proper. Under this authority the Board has made special provision for accumulated days of rest in the highway construction, geophysical exploration, oil well drilling, oil well service and pipeline construction industries and for cooks, night watchmen, etc., in lumber camps.

Orders under the British Columbia Minimum Wage Acts provide for a rest-period of 32 hours weekly for workers in factories, shops, offices, hotels and catering, laundries, hospitals, the woodworking industry, ship-building, public places of amusement, for elevator operators, for men in undertaking establishments, for janitors other than resident janitors in apartment buildings, for patrolmen, for taxicab drivers and for bicycle-riders and foot-messengers employed exclusively on delivery. Different arrangements may be made on application of the employer and employees

concerned, if the Board approves. Orders governing resident janitors in apartment buildings containing twenty residential suites and over, and employees in resort hotels in unorganized territory during the summer season provide for a weekly rest of 24 hours.

In Manitoba, a weekly day of rest, if possible Sunday, must be granted to employees in mining, manufacturing, shops, offices, catering, barbering and hairdressing, the insurance business, the baking industry, the transport of goods by road, the processing and distribution of milk and its products and to elevator operators and hotel clerks. Exempted are watchmen, janitors and firemen living in the building in which they are employed; persons not usually employed more than five hours in a day; managers and supervisory employees; repair workers in emergencies; and persons employed for not more than three hours on a weekly rest-day merely for the purpose of looking after horses as part of their usual duty. The Minister of Labour is given discretion to exempt a particular undertaking from the application of weekly rest provisions for a fixed period or indefinitely. Where a plant is exempted, each employee must be given an additional holiday without pay for each weekly day of rest to which he would have been entitled except for the permit of exemption, and the holidays may be accumulated.

In Newfoundland, the Hours of Work Act, 1963, which applies to shops throughout the province, requires shop assistants to be given a day off in each week in addition to Sunday, except in the weeks in which 8 specified holidays occur. In the weeks in which 5 other specified holidays occur, they must be given a day off in addition to Sunday and the holiday.

The New Brunswick Weekly Rest Period Act requires employers to give their employees a weekly rest of at least 24 consecutive hours, to be taken if possible on Sunday. Where a weekly rest is impracticable, the Minister of Labour may permit rest periods to accumulate and to be taken later, either part at a time or all together. The only employees not covered are farm workers, employees required to cope with an emergency and part-time workers who are not usually employed more than five hours in a day. Certain groups of employees and certain employers may be designated by the Lieutenant-Governor in Council as being outside the scope of the Act.

In Nova Scotia, every employer in mining, manufacturing and construction is required to grant his employees a weekly rest of at least 24 hours. Wherever possible, the period of rest must be on Sunday and must be granted simultaneously to the whole of the staff of each undertaking.

In Ontario, in cities of 10,000 or more people, workers in hotels and restaurants must be allowed a weekly rest-day, Sunday if possible. Watchmen, janitors, foremen, and those employed for five hours or less in a day are exempted.

In Quebec, Minimum Wage Order 4, applying generally to all industries within the scope of the Act not covered by special orders, provides for a weekly rest of 24 hours or two periods of 18 consecutive hours each for the employees covered by its provisions. Farm workers, domestic servants and employees covered by decrees under the Collective Agreement Act are the only workers not within the scope of the Minimum

Wage Act. The four special minimum wage orders contain the same provision as Order 4, excluding only a few classes of workers in forest operations, caretakers provided with free lodgings in hotels, restaurants and hospitals, and employees of real estate undertakings. Under the Quebec Weekly Day of Rest Act, persons employed in hotels, restaurants or clubs in places of at least 3,000 population must have 24 consecutive hours' rest in a week. In the Quebec district, the inspector may permit two periods of 18 consecutive hours each instead of one 24-hour period. Where there is only one cook, the 24-hour rest may be replaced by two 12-hour periods.

The Saskatchewan statute provides for a weekly rest of at least 24 hours, wherever possible on Sunday, for the employees of any employer covered by an order of the Minimum Wage Board. (Only agriculture, domestic service and a few other occupations are not covered by minimum wage orders.) Exempted are managers, employees not usually working for more than five hours in a day, and repair men in emergencies. The Minister of Labour may exempt particular employers for not more than one year. Any specified class of employers may be excluded by Order in Council, subject to such conditions as may be prescribed.

STANDARDS IN THE YUKON AND NORTHWEST TERRITORIES

A number of labour standards have been established by the Territorial Councils of the Yukon and Northwest Territories in the fields of legislation covered by this bulletin.

Statutory School-Leaving Age

In both Territories a School Ordinance provides for compulsory school attendance. The Yukon Ordinance makes it compulsory for a child to attend school to the age of 14. In the Northwest Territories, a child is required to go to school to the age of 15 and, if he reaches his fifteenth birthday after December 31, he must attend to the end of the school year. In both Territories, as in the provinces, exemptions from school attendance may be permitted for various reasons, including illness and distance from school.

Minimum Age for Employment

Under a Mining Safety Ordinance in each Territory, the minimum age for employment below ground is 18 years. The Northwest Territories Ordinance also sets a minimum age of 16 years for employment above ground in mines.

Annual Vacations with Pay

The Annual Vacations Ordinance of the Yukon Territory provides for an annual vacation of two weeks with pay after a year's service for all employees except those employed in family undertakings and in domestic

service in private homes. The vacation pay to which an employee is entitled is one twenty-sixth of his annual earnings. The vacation must be given within 10 months after the date on which the employee becomes entitled to it. An employee whose services are terminated before he has worked a full year is eligible for vacation pay (one twenty-sixth of his earnings for the time he has been employed), provided he has been employed for a period of at least 30 days.

Maximum Hours of Work

The Mining Safety Ordinances of both Territories provide for an eight-hour day for work below ground in mines. This is the only statutory regulation of working hours in mines in the Northwest Territories.

In the Yukon Territory, hours of work and public holiday provisions are contained in the Labour Provisions Ordinance. This Ordinance, like the hours of work legislation of Manitoba and Saskatchewan, does not impose limits on hours. It requires time and one-half the regular rate to be paid after 8 hours in a day and 44 hours in a week in shops, and after 8 and 48 hours in other employment with the exception of underground work in mines. "Shop", defined as an establishment where wholesale or retail trade is carried on or where services are dispensed to the public for profit, includes a hotel or restaurant.

Limits of 8 and 48 hours apply to mining operations underground in a shaft or tunnel. With the consent of their elected representatives, employees who work in shifts in mining operations are permitted to work longer hours than 8 and 48 without payment of overtime rates, provided that their average hours over a period of four weeks do not exceed 8 per day or 48 per week.

Limits of 8 and 48 hours apply to employees engaged on public works unless the Commissioner of the Territory orders otherwise, in which case he may require the payment of time and one-half the regular rate for time worked in excess of 8 and 48 hours.

Public Holidays

The Ordinance also prohibits work on six public holidays unless time and one-half the regular rate is paid. The holidays are New Year's Day, Good Friday, Dominion Day, August 17 (known as Discovery Day), Labour Day and Christmas Day. Where any of the six specified holidays falls on Sunday, work is prohibited on the following Monday.

Workmen's Compensation

Each Territory has a Workmen's Compensation Ordinance which makes the employer individually liable to pay compensation and requires him to carry accident insurance to cover his liability or to make other arrangements acceptable to the Commissioner. Under both Ordinances, the Alberta Workmen's Compensation Board acts as Referee to determine disputed claims.

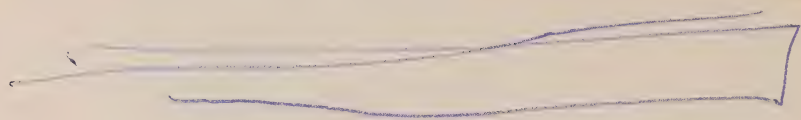
Both Ordinances were amended in 1961 to increase the compensation payable to widows and children with respect to accidents occurring after the effective date of the amendments. Lower scales of benefits are in effect for pensioners in receipt of pensions as a result of earlier accidents.

Under the Northwest Territories Ordinance, a widow is entitled to \$300 for burial expenses, a lump sum of \$300, and, with respect to an accident occurring on or after January 1, 1962, a monthly pension of \$90 payable until remarriage or death and \$35 a month for each dependent child under 16. Under the Yukon Ordinance, the corresponding amounts are \$250 for burial expenses, \$300 as a lump sum payment, and, with respect to accidents occurring on or after July 9, 1961, a pension of \$100 a month to a widow and \$35 a month for the first two children in a family and \$20 a month for each additional child. In the Yukon, the allowance to a dependent child is now payable to the age of 18. Under both Ordinances, an additional payment, not exceeding \$10 a month, may be made, at the discretion of the Referee, to an orphan child under 16. Where the only dependants are persons other than widow or children, compensation is to be a sum determined by the Referee in proportion to the pecuniary loss sustained, not exceeding \$75 a month to a parent or parents or \$100 a month to all such dependants.

Under both Ordinances, a workman who is permanently and totally disabled is entitled to receive a life pension equal to 75 per cent of his average weekly earnings. In any case he may not receive less than \$25 a week or his full earnings, if less than \$25. For a workman with a permanent partial disability, compensation is a proportion of 75 per cent of his average earnings, depending on impairment of earning capacity as a result of the injury. In computing average earnings, the maximum amount of annual earnings which may be taken into account is \$4,000 in the Yukon Territory (with respect to an accident occurring on or after January 1, 1956) and \$4,500 in the Northwest Territories (with respect to an accident occurring on or after January 1, 1962). Under both Ordinances, lower ceilings are applicable with respect to earlier accidents.

In addition to compensation payments, the injured workman is entitled to medical aid, the cost of which is borne by the employer. The Referee may require the employer or insurer to pay the expenses of occupational retraining of a permanently disabled workman, up to an amount not exceeding \$5,000.

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Attn. Mr. Paul

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PROVINCIAL LABOUR STANDARDS

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DECEMBER, 1964

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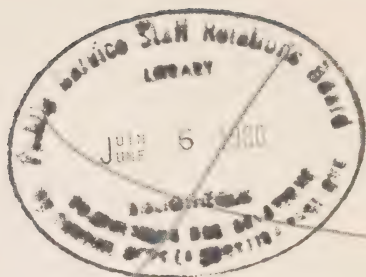
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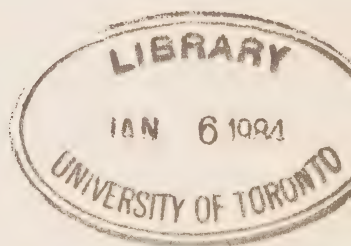
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PROVINCIAL LABOUR STANDARDS

Concerning Child Labour, Minimum Wages, Equal Pay for Equal Work,
Hours of Work, Weekly Rest-Day, Holidays, Fair Employment
Practices, Notice of Termination of Employment and
Workmen's Compensation

DECEMBER, 1964



DEPARTMENT OF LABOUR OF CANADA
LEGISLATION BRANCH

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FOREWORD

This bulletin, which has been issued annually since 1944 (1957 excepted), sets out the standards which are in effect in the provinces of Canada with respect to child labour, minimum wages, equal pay for equal work, hours of work, weekly rest-day, holidays, fair employment practices, notice of termination of employment and workmen's compensation. The standards set by labour Ordinances of the Yukon and Northwest Territories are included. The section dealing with notice of termination of employment was added this year.

These standards are set out in tables, where appropriate, and in other instances in narrative form. Changes in provincial laws and regulations in 1964 are summarized at the beginning of the bulletin.

The bulletin was prepared by Miss Evelyn Woolner.

EDITH LORENTSEN,
Director,
Legislation Branch,
Department of Labour.

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CHANGES IN PROVINCIAL LAWS AND REGULATIONS IN 1964

In 1964 changes were made in most of the fields of legislation covered by this bulletin. The new or revised standards which were put into effect are summarized below.

Statutory School-Leaving Age and Minimum Age for Employment

The *Saskatchewan* Legislature raised the school-leaving age from 15 to 16 years, effective from July 1, 1964.

In *Ontario*, on proclamation of the new Industrial Safety Act, the minimum age for employment in a factory was raised from 14 to 15 years. Fourteen remains the minimum age for employment in a shop, office, office building, restaurant, bowling alley, pool room or billiard parlour, subject to the condition that the employment is not likely to endanger a child's safety. As previously, a young person under 16 may only be employed during school hours in Ontario if he has a certificate issued under the Schools Administration Act permitting him to be absent from school.

In *New Brunswick*, the Minimum Employment Standards Act, which was enacted in 1964, prohibits the employment of a child under 16 in any place of employment other than a private home or a farm without a written authorization from the Minister of Labour. In addition, the Minister may forbid the employment of young persons between 16 and 18 years of age in any occupation deemed by him to be dangerous or injurious to their health or welfare. Similar provisions applying to a more limited field of employment (factories, hotels, restaurants, mercantile establishments, places of amusement and office buildings) were formerly contained in the Industrial Safety Act.

Minimum Wages

A new Minimum Wage Act was passed in *Nova Scotia*, effective from July 1, giving the Minimum Wage Board authority to set minimum rates for both sexes. The law previously in effect applied to women workers only.

The authority of the Board to set minimum rates is similar to the authority of other provincial minimum wage boards. Its powers also extend to fixing not only the maximum hours of work for which the minimum wage may be paid and the minimum overtime rate but also the regular working period and the maximum number of hours that may be worked regularly in any industry or occupation.

A new feature of the Act is a provision similar to that in effect in *Saskatchewan* requiring the giving of one week's written notice of termination of employment or lay-off, if the employee concerned has had three

months' service or more. All wages owing must be paid within 10 days of termination of employment.

The *New Brunswick* Minimum Wage Act was amended to exclude from the definition of "employee" persons who are employed for four hours or less per day or for 24 hours or less per week. Persons employed in a confidential capacity, formerly excluded, are now covered. As before, domestic servants, agricultural workers and employees of the Crown are outside the scope of the Act.

The *Ontario* Industry and Labour Board issued new minimum wage orders, effective from June 29, extending to all parts of the province the minimum wage program initiated in 1963 with the orders for the Oshawa-Toronto-Hamilton Zone (the "Golden Horseshoe" area).

The new orders divide the remainder of the province into the Southern Ontario Zone (Zone I) and the Northern Ontario Zone (Zone II). The Southern Ontario Zone takes in most of Southern Ontario and five of the more populous districts in Northern Ontario. Included in this Zone are the cities of Ottawa, Fort William, Port Arthur, Sault Ste. Marie, Sudbury, Timmins and North Bay. The Northern Ontario Zone consists of the rest of the province lying north of Zone I.

The orders provide for the establishment by December 27, 1965, of a province-wide general minimum wage of \$1 an hour for workers of both sexes and of a minimum wage of \$1.25 an hour for construction workers. These rates are already effective in the Oshawa-Toronto-Hamilton Zone. For women in Zone I and for all workers in Zone II the new rates are being put into effect by stages.

The rates provided for in the orders which went into effect on June 29 were as follows:

ZONE I (<i>Southern Ontario and the major Northern Ontario cities</i>)			ZONE II (<i>Northern Ontario, except major cities</i>)		
GENERAL	Men	Women	GENERAL	Men	Women
June 29, 1964.....	\$1.00	\$.85	June 29, 1964.....	\$.85	\$.80
September 29, 1964....	—	.90	December 29, 1964....	.90	.90
December 29, 1964....	—	.95	December 27, 1965....	1.00	1.00
March 30, 1965.....	—	1.00			
CONSTRUCTION			CONSTRUCTION		
June 29, 1964.....	\$1.25	—	June 29, 1964.....	\$1.15	—
			December 27, 1965....	1.25	—

Special minimum rates were set for certain categories of workers. For these classes, too, the rates are the same or from December 27, 1965, will be the same as those already established in the "Golden Horseshoe" area.

For students who do not work more than 28 hours in a week, and for seasonal workers employed in the processing of perishable fruits or vegetables for not more than 16 weeks in a calendar year, the minimum rate in the Southern Ontario Zone is 80 cents an hour; in the Northern Ontario Zone it is 75 cents, increasing to 80 cents on December 27, 1965.

For persons under 18 employed as messengers, delivery boys, newsboys, pin setters, shoe shine boys, golf caddies or in the professional shop at a golf course, in a municipal public library, or in an amusement or refreshment booth at a fair or exhibition, the minimum rate in the Southern Ontario Zone is 60 cents an hour; in the Northern Ontario Zone it is 50 cents, increasing to 60 cents on December 27, 1965. The 80-cent rate originally set for messengers, delivery boys and similar categories of workers in the Oshawa-Toronto-Hamilton Zone was reduced to 60 cents an hour, effective from June 29, 1964.

During the first four months of their employment, workers may be paid 10 cents an hour less than the regular minimum rate. The number of employees classified as learners may not, however, exceed one-fifth of the total number of employees in an establishment. Apprentices, office workers who have completed a course in office practice, part-time workers employed for less than 28 hours in a week and the special categories described above (persons under 18 in certain occupations, students and seasonal cannery workers) may not be counted as learners. In hotels and restaurants the learning period is one month. A learner who is paid on a piece-work basis may be paid 20 cents an hour less than the minimum hourly rate for the first three months of his employment and 10 cents less during the second three-month period.

The orders also provide for call-in pay. An employee who is required by his employer to report for work, other than a student who normally works only 28 hours a week or less, is entitled to three hours' pay at the minimum rate even if he does not work three hours.

The *New Brunswick* Minimum Wage Board issued five new minimum wage orders, to take effect on January 1, 1965. These orders, although made on an industry basis, provide general coverage for employees in the province, with the exception of those employed in agriculture, fishing and domestic service and by the Crown. Previously, minimum wage rates were set for most female employees, but only certain male workers (those employed in logging and sawmills, the garment industry, and the canning or processing of fish, vegetables or fruits) were subject to a minimum wage.

In the construction, mining and primary transportation industries, the minimum wage is \$1.05 an hour for a 48-hour week. In logging, forest and sawmill operations, it is \$1.05 an hour for a 54-hour week. In wholesale and retail trades and all manufacturing industries, the minimum rate for a 48-hour week is 75 cents an hour until July 1, 1965, and 80 cents thereafter. In the food processing industry, the same minimum rates—75 cents, effective January 1, and 80 cents after July 1, 1965—apply to a 54-hour workweek. In the service industries, the minimum wage is 65 cents an hour for a 48-hour week, increasing to 70 cents on July 1, 1965.

All the orders except the order for the service industries permit an employer to pay an employee with less than three months' experience in the industry or a handicapped worker 10 cents an hour less than the established minimum rate, but not more than 20 per cent of the employees of an employer may be paid at the lower rate.

The overtime rate payable after the weekly hours set in the orders is one and one-half times the minimum rate.

The *Saskatchewan* Minimum Wage Board issued new minimum wage orders, effective from March 1, providing for increases of \$2.50 in weekly rates and of 10 cents in hourly rates. The minimum rate is now \$36.50 a week in ten cities and a five-mile radius, and \$34.50 in all other areas of the province. For part-time workers the minimum hourly rate is \$1 in the cities and 95 cents elsewhere in the province. As before, rates \$2 a week less than the full minimum are set for workers under 18 years of age.

Hours of Work

In *New Brunswick*, the new Minimum Employment Standards Act, which, as noted above, is applicable to any place of employment other than a private home or a farm, limits working hours of women and boys under 18 to 9 in a day and 48 in a week, unless special permission to work longer hours is obtained from the Minister of Labour. These restrictions on working hours take the place of those formerly contained in factory legislation which limited hours of women and boys under 18 in factories to 9 and 54.

Provisions relating to hours of work of women and boys under 16 were dropped from *Ontario* factory legislation, and new provisions regarding young persons under 18 were added to the Hours of Work and Vacations with Pay Act. One of these set a limit of 6 hours in a week on the overtime work which may be performed by young persons under 18, thus limiting total working hours of young persons to 54 in a week. Further, the Industry and Labour Board, which administers the Act, was empowered to make regulations fixing the minimum rate of wages to be paid for overtime worked by young persons.

Annual Vacations and Public Holidays

The *New Brunswick* Vacation Pay Act was amended to extend its coverage to all employees in the province except persons employed for four hours or less per day or for 24 hours or less per week, employees of the Crown, domestic servants and agricultural workers. Formerly, the Act, which provides for a week's vacation with pay after a year's service, applied only to construction and mining, including the peat-moss industry, and the processing, canning and packing of fish, vegetables and fruit.

As a result of another amendment, the vacation pay payable on termination of employment must now be paid not later than the next regular pay period, rather than not later than one month, after employment ceases. The same change was made with regard to vacation pay payable to an employee who has not worked the 225 days or shifts necessary to qualify for a vacation and who continues in the service of the employer after the

end of the vacation pay year. In such case the employee must be given his vacation pay not later than the next regular pay period after the vacation year ends.

An amendment to the *Alberta Labour Act* gave the Board of Industrial Relations authority to provide for paid public holidays. The Board, with the approval of the Lieutenant-Governor in Council, may make an order fixing the basis for computation of minimum pay for employees who do not work on public holidays and for those who do work on such days. Alternatively, the Board may make an order providing that an employer may, in lieu of payment in respect of each holiday, pay the employee a specified percentage of his ordinary wages on termination of employment or at the time he begins his annual vacation, whichever is earlier.

Fair Employment Practices

In *Quebec*, an Act was passed forbidding discrimination in employment and in trade union membership on grounds of race, colour, sex, religion, national extraction or social origin.

The *British Columbia Fair Employment Practices Act* was amended to prohibit discrimination in employment or in trade union membership against persons between the ages of 45 and 65 solely on grounds of their age. The new provisions are not applicable to cases where a *bona fide* retirement or pension plan or group or employee insurance plan is in operation. British Columbia is the first province to prohibit discrimination in employment on the basis of age.

A new Fair Practices Ordinance in the *Yukon Territory*, assented to on November 22, 1963, prohibits discrimination in regard to employment, trade union membership, multiple housing and accommodation.

Workmen's Compensation

Benefits were increased under several of the Workmen's Compensation Acts. In *Newfoundland*, effective from January 1, 1965, the maximum annual earnings on which compensation may be paid were increased from \$4,000 to \$5,000. Two provinces set higher minimum payments for total disability. In *Manitoba*, the minimum payment for permanent total disability was raised from \$25 a week to \$150 a month (or average earnings, if less). In *Ontario*, increases from \$15 to \$30 a week for temporary total disability and from \$100 to \$130 a month for permanent total disability were provided for.

In *Ontario*, the age limit for the payment of children's allowances was removed, permitting payments to be made, at the Workmen's Compensation Board's discretion, as long as a child is continuing his studies. Previously, benefits could not be paid beyond the end of the school year in which a child reached the age of 18. In *Manitoba*, the maximum allowance for funeral expenses was raised from \$200 to \$300.

STATUTORY SCHOOL-LEAVING AGE

In all the provinces there is a compulsory school attendance law, but exemptions are permitted in case of illness, distance from school or lack of accommodation and, except in British Columbia, for home duties and for employment. Provisions as to exemption are shown below. The laws place restrictions on employment of children of school age during school hours.

Nfld.*	P.E.I.	N.S.*	N.B.	Que.*	Ont.*	Man.*	Sask.	Alta.*	B.C.
15. Exemption: With certificate for a stated period, but if child is under 12 for not more than 2 months in a school year, unless with approval of Minister ¹ .	16 unless has completed courses in public school. Attendance required for only 75% of term except in Charlottetown and towns where 90% attendance is required. Exemption: (1) For poverty; (2) If 12, for not more than 6 weeks in year ² .	16, cities and towns, 14 elsewhere but 15 or 16 may be fixed locally. Exemption: (1) If 12, for not more than 6 weeks in year ³ ; (2) If 13, with employment certificate. Medical certificate may be required.	16 unless has passed grade 11. 14 by resolution in rural districts unless has passed grade 8. Exemption: Not more than 6 weeks in term ⁴ .	15. Exemption: Not more than 6 weeks in year ⁴ .	16 unless has completed secondary school or equivalent. Exemption: Under 14, for not more than 6 weeks in term ⁴ ; 14-16, if home permit or employment certificate granted. Home permit unnecessary in rural districts but child reaching 14 years during school term must attend school to end of that term.	15 but child must attend until 16 if not employed in industry, home duties or farm work. 16 may be fixed by district. (School-leaving age of 16 years to go into effect from July 1, 1965). Exemption: Over 12, not more than 4 weeks in year ⁵ .	16 unless has passed grade 8. Exemption ¹ .	15 unless has passed grade 9 or equivalent. Exemption: If 12, not more than 3 weeks in term ¹ .	15 unless has completed course at nearest public school and transport to higher school not provided.

*Child reaching school-leaving age required to attend school to end of school year in Newfoundland, Nova Scotia, Ontario and Quebec, to end of term in Manitoba, and in Alberta, to end of June term if age reached in that term.

¹ If services needed for maintenance of self or others.

² If services needed in husbandry or other necessary employment.

³ If services needed in farming, home duties or other necessary employment.

⁴ If services needed in farming, home duties, maintenance of self or others.

⁵ If services needed in husbandry or home duties.

MINIMUM AGE FOR EMPLOYMENT

The minimum age for employment set by mines Acts and other provincial legislation (child labour laws, the Alberta Labour Act, the Manitoba Employment Standards Act, the New Brunswick Minimum Employment Standards Act, factory laws and minimum wage orders) is set out below. In most provinces the legislation (apart from mines Acts) covers certain other classes of establishments as well as those set out in the table. The Canada Shipping Act fixes a minimum age of 15 for employment at sea. No minimum age has been established for employment in agriculture.

Establishment	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
MINES	18, below ground	—	Coal: 18, below Metal: 16, above 18, below	Coal: — above 16, below Metal: 16, above 18, below	— above 15, below	16, above 18, below	16, above 18, below	Coal: 16 Metal: 16, above 18, below	17, above 17, below	Coal: 16, above 17, below Metal: 15, above 18, below
FACTORIES	—	15	14 ¹	16 except with permit	14 ^{2,4}	15 ¹	15	16	15	15 except with permit
SHOPS	—	—	—	16 except with permit	14 ²	14 ^{1,3}	15 except with permit	—	15 ²	15 except with permit
HOTELS RESTAURANTS	—	—	14	16 except with permit	—	14 ^{1,2} (restaurants only)	15 except with permit	16	15	15 except with permit

¹ 16 from 8 a.m. to 5 p.m. except with employment certificate or except on school holidays.

² The Government may exempt establishments from the Act.

³ 16 unless able to read and write fluently or attending night school. Permit from Provincial Employment Service required for employment between 14 and 16 years.

⁴ For certain dangerous trades, the minimum age is 18 for boys; for others, it is 16 for boys and 18 for girls.

⁵ A child of 14 may be employed if the work is not likely to endanger his safety.

⁶ Minimum age of 12 years in certain occupations, including work as clerk, delivery boy or delivery girl in retail store, with written consent of parent and subject to restrictions on hours (2 hours on a school day, 8 hours on any other day) if not injurious to life, limbs, health, education or morals.

MINIMUM WAGE RATES

All the Canadian provinces have legislation authorizing a minimum wage board or other labour board to set or recommend minimum rates of wages. The minimum wage law of Alberta is Part II of the Alberta Labour Act; that of Manitoba is Part II of the Employment Standards Act. All other provinces have individual minimum wage laws. Minimum rates are imposed by minimum wage orders or regulations.

In most provinces minimum wage orders now cover practically all employment except farm labour and domestic service. These two groups are everywhere excluded from minimum wage regulation. Minimum rates have not yet been set for male workers in Nova Scotia although, with the enactment of a new Minimum Wage Act in 1964, there is now authority to set minimum rates for both sexes. In Prince Edward Island, a general minimum wage order covers male workers in most occupations but the only classes of female workers for which minimum rates have been set are restaurant and laundry workers. A few other classes of workers are excluded in other jurisdictions.

In Newfoundland, New Brunswick, British Columbia and Prince Edward Island, minimum rates apply throughout the province. In the remaining provinces there are regional differentials in minimum rates. Nova Scotia and Ontario are divided into three zones for minimum wage-setting purposes; in Quebec there are two zones. In Alberta, Manitoba and Saskatchewan, a distinction is made for minimum wage purposes between urban and rural areas, centres with over 5,000 population in Alberta being classed as urban.

In Nova Scotia, Zone I consists of Halifax, Sydney, Glace Bay, Amherst, Dartmouth, New Glasgow, New Waterford, North Sydney, Sydney Mines and Truro; Zone II comprises Annapolis Royal, Antigonish, Berwick, Bridgetown, Bridgewater, Canso, Clark's Harbour, Dominion, Digby, Hantsport, Inverness, Kentville, Liverpool, Lockeport, Louisburg, Lunenburg, Mahone Bay, Middleton, Mulgrave, Oxford, Parrsboro, Pictou, Port Hawkesbury, Shelburne, Springhill, Stellarton, Stewiacke, Trenton, Westville, Windsor, Wolfville and Yarmouth; Zone III consists of the rest of the province.

In Quebec, Zone I consists of the Greater Montreal area (including the Island of Montreal, Ile Jesus, Ile Bizard and the County of Chambly); Zone II takes in the remainder of the province.

In Ontario, the first zone for which rates for both male and female workers were established consists of Metropolitan Toronto and the areas extending to and including the cities of Hamilton and Oshawa. It includes, besides the three cities, 16 towns, 8 villages and 18 townships. The Southern

Ontario Zone, designated as Zone I, comprises the southern industrialized area of the province and six major centres in Northern Ontario. The communities in Northern Ontario included in Zone I are North Bay, Sudbury, Timmins, Sault Ste. Marie, Port Arthur and Fort William. Ottawa is also included in the Southern Ontario Zone. The Northern Ontario Zone (Zone II) comprises that part of the province not included in the Southern Ontario Zone or the Oshawa-Toronto-Hamilton Zone.

Minimum wage boards in all provinces except New Brunswick and British Columbia issue general or blanket orders setting rates which apply to most workers in the province (or to most male or female workers in the province, as the case may be). In most of these provinces the general orders are supplemented by special orders, applying to a particular industry, occupation or class of workers and in some cases taking into account a special skill. The New Brunswick orders are made on an industry basis but together provide general coverage for most employees in the province. The British Columbia board issues a separate order for each industry or occupation.

For purposes of comparison, the minimum rates shown in the three tables which follow are set out not as general rates but as applying to specific workplaces—factories, shops, offices, hotels and restaurants.

Weekly rates are set in some provinces, hourly rates in others.

In Manitoba, Saskatchewan, Alberta, Ontario and Quebec, the boards have set special minimum rates for young workers, or for workers in certain categories such as newsboys or messengers. Minimum rates in Newfoundland apply to employees over 17. The general minimum wage order for men in Prince Edward Island excludes persons under 21.

In Manitoba, a minimum rate of 48 cents an hour is in effect for workers under 18. In Saskatchewan, workers under 18 must be paid \$2 less than the adult rate, that is, \$34.50 a week in the cities and a five-mile radius and \$32.50 a week in the smaller centres. In Alberta, adult rates apply to workers over 19. In the larger centres (over 5,000 population) the minimum rate is \$26 a week for those under 18 and \$30 a week for those between 18 and 19 years. In the remainder of the province the corresponding rates are \$22 and \$26.

In Ontario, persons under 18 employed as messengers, delivery boys, news vendors, pin setters, shoe shine boys, golf caddies or in the professional shop at a golf course, in a municipal public library or in an amusement or refreshment booth at a fair or exhibition must be paid at least 60 cents an hour, except in the less industrialized Northern Ontario Zone where a rate of 50 cents an hour is in effect until December 27, 1965, after which the 60-cent rate will apply. In Quebec, minimum rates of 56 cents an hour in Zone I and 52 cents an hour in Zone II have been set for office boys, messengers, pin boys and bootblacks, without specific reference to age. Rates lower than the regular minimum are also set for workers under 19 in sawmills and woodworking plants in Quebec.

The majority of the separate orders issued in British Columbia set minimum rates which may be compared to the rates set in general orders in other provinces. Eighteen orders fix a minimum wage of \$1 an hour.

These cover, among others, factories, shops, offices, hotels, restaurants, hospitals, laundries, fresh fruit and vegetable canning, fish processing, logging and sawmills, woodworking, elevator operators, truck drivers, bus operators and patrolmen. At the same time the board has in a fairly large number of orders set minimum rates for workers having special skills, taking into consideration the prevailing rates in the trade concerned. Such rates are usually considerably in excess of \$1 an hour. The rate set for construction labourers is \$1.30 an hour, for pipeline construction and oil well drilling \$1.30 an hour, for electronic technicians \$1.50 an hour, and for journeymen-tradesmen in the shipbuilding industry \$1.75 an hour. For automotive mechanics, construction tradesmen, machinists, moulders, refrigeration mechanics, sheet metal workers and stationary steam engineers, the minimum rate is \$2 an hour.

1. Minimum Rates for Experienced Workers*

Establishment	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Factories Shops Offices	per hour 50¢ (women) 70¢ (men)	per hour \$1 (men only) ¹	per week \$21.80, Zone I \$19.20, Zone II \$14.40, Zone III (women only) ²	per hour 75¢, increasing to 80¢ on July 1, 1965 (factories and shops) 85¢, increasing to 70¢ on July 1, 1965 (offices) ⁴	per hour 70¢, Zone I 64¢, Zone II ³	per hour <i>Oshawa-Toronto-Hamilton</i> <i>Zone</i> Both sexes: \$1 ⁵ <i>Southern Ontario Zone</i> Men: \$1 ⁵ Women: 85¢, increasing to \$1 on March 30, 1965 ⁶ <i>Northern Ontario Zone</i> Both sexes: 90¢, increasing to \$1 on December 27, 1965 ⁶	per hour 75¢, cities 70¢, rural	per week \$30.50, ten cities and five-mile radius \$34.50, rest of province	per week \$34, centres over 5,000 population \$30, rest of province	per hour \$1 ⁷
Hotels Restaurants	As above	As above (men only) Restaurants in Charlottetown and Summerside and five-mile radius: per week \$21, waitresses \$16, other female workers (Charlottetown) \$23, female cashiers (Summerside)	As above ³	65¢, 70¢ from July 1, 1965	64¢, Zone I 80¢, Zone II	As above	As above	As above	As above	As above

* For description of zones, see page 14.

¹ 80¢ per hour for male workers in food processing plants; 55¢ per hour for female laundry workers.

² 45¢ per hour for women workers in fish processing.

³ Rate applicable to city or town applies to hotels and restaurants within 20 miles between June 1 and September 30.

⁴ Offices connected with a factory, shop or other industrial undertaking are subject to the minimum rate set for the undertaking.

⁵ \$1.10 per hour in Zone I and \$1 per hour in Zone II for workers in sawmills; \$1.15 in Zone I and \$1.05 in Zone II for workers in woodworking plants; rates for skilled employees such as machinists and stationary engineers are 15 cents an hour higher than the general rates.

⁶ 80¢ per hour (75¢ until December 27, 1965, in Northern Ontario Zone) for seasonal workers who work not more than 16 consecutive weeks in year in plants processing fruits and vegetables.

⁷ Also \$1 per hour for workers in fruit and vegetable canning; fish processing; laundry, cleaning and dyeing industries; and in sawmills and woodworking plants.

2. Minimum Rates and Learning Periods for Inexperienced Workers*

Establishment	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Alta.	B.C.
Factories Shops Offices	per hour Except for seasonal or casual workers, minimum rate becomes effective 60 days from date of hiring (men only) During probationary period of 30 days in laundries: 50¢ (women only)	per week During probationary period of 90 days: \$18, Zones I and II (women only)	per hour During first 3 months of employment: 10 cents an hour less than the relevant minimum rate ¹	per hour During first 6 months of employment: 56¢, Zone I 52¢, Zone II	per hour During first 4 months of employment: 10 cents an hour less than the relevant minimum rate ¹ On piecework: 20 cents an hour less than the minimum rate for first 3 months; 10 cents less for second 3 months	per hour Rates and learning period to be set out in permit granted by Minister. Learning period may not exceed 6 months and starting rate must be at least 75% of minimum rate. ²	per week During 2 four-week periods in garment industry: \$28, \$30, centres over 5,000 population \$24, \$26, rest of province (women only) ³	per hour During 3 one-month periods: 85¢, 90¢, 95¢
Hotels Restaurants	As above for male workers per week During probationary period of 60 days in Summerside and 30 days in Charlottetown in restaurants: \$18, waitresses \$20, female cashiers (Summerside only)	As above	—	—	For first month of employment: 10 cents an hour less than relevant minimum rate ¹	As above	—	As above

* For description of zones, see page 14. The Newfoundland and Saskatchewan orders make no provision for lower rates for learners.

¹ Not more than 20% of the total number of employees in an establishment may be employed as learners.

² The Minister of Labour may fix, at not more than 25%, the percentage of women workers that an employer may employ as learners.

³ Not more than 25% of the workers employed by an employer in the garment industry may be paid learners' rates.

⁴ A month is defined as a period of 22 working shifts.

3. Overtime Rates

Establishment	Nfld.	P.E.I.	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Factories Shops Offices Hotels Restaurants	For hourly-paid workers, 1½ times the minimum rate after 8 hours and for work on Sunday; for workers paid a fixed weekly or monthly wage, 1½ times the minimum rate after 48 hours. ¹	1½ times the minimum rate after 48 or normal hours, if less, in restaurants in Charlottetown and Summerside and five-mile radius (women only).	1½ times the minimum rate after 48 or normal hours, if less, (women only).	1½ times the minimum rate after 48 hours. ²	1½ times the minimum rate after the hours in the "regular workweek", week for factories, shops and offices is 48 hours; for hotels and restaurants it is 54 hours. ³	--	1½ times the minimum rate after 8 and 44 hours (women) and after 48 hours (men). ⁴	1½ times the regular rate after 8 and 44 hours; but after 48 hours in shops and offices in centres with under 500 population, and after 48 hours in hotels and restaurants in centres other than cities. ⁵	1½ times the regular rate after 9 and 48 hours or after lesser hours prescribed by Board (after 44 hours in centres with over 5,000 population).	1½ times the regular rate after 8 and 40 hours. ⁷

¹ The overtime provisions do not apply to shop employees governed by the Hours of Work Act, 1963 (see page 23).

² One and one-half times the minimum rate after 54 hours or less in the food processing industry.

³ Workers paid on a yearly, monthly or weekly basis at least \$60 a week in Zone I and \$55 in Zone II, whether or not they work a full week, are not entitled to payment for overtime. For description of zones, see page 14.

⁴ Applies only to employment which is not within the scope of Part III of Employment Standards Act (hours of work legislation). The latter applies to the major industries in the chief industrial areas of the province (page 25).

⁵ Overtime payable after 9 and 44 hours in case of 5-day week.

⁶ Provision for overtime in Saskatchewan is contained in Hours of Work Act and orders.

⁷ Where the Board approves an agreement under which hours limits may be exceeded, provided the weekly average over a specified period does not exceed 44 hours, the overtime rate must be paid after an average of 40 hours in a week.

EQUAL PAY

Eight provinces, Alberta, British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Prince Edward Island and Saskatchewan, have equal pay laws. The Alberta legislation forms Part VI of the Alberta Labour Act. In Ontario and Nova Scotia, equal pay, fair employment practices and fair accommodation practices laws have been combined in one statute (the Ontario Human Rights Code and the Nova Scotia Human Rights Act). In Quebec, an Act respecting discrimination in employment forbids discrimination in employment on the basis of sex (see page 33).

The British Columbia, New Brunswick, Nova Scotia, Ontario and Prince Edward Island Acts prohibit an employer from paying a female employee at a rate of pay less than the rate paid to a male employee for *the same work done in the same establishment*. The Saskatchewan Act contains a similar prohibition but refers to *work of comparable character done in the same establishment*. The Manitoba and Alberta statutes are alike in referring to *identical or substantially identical work* but the Manitoba Act differs from the other Acts in that it forbids discrimination against either sex in the payment of wage rates. Under the Manitoba Act an employer is forbidden to pay to the employees of one sex wages on a scale different from that on which wages are paid to employees of the other sex in the same establishment, *if the work required of, and done by, employees of each sex is identical or substantially identical*. The Alberta Act forbids an employer to employ a female employee for any work at a lesser rate of pay than the rate at which he employs a male employee for *identical or substantially identical work*. Differences in rates of pay based on a factor other than sex do not constitute failure to comply with the requirements of the Acts. In all the Acts except that of Alberta, "establishment" is defined as a place of business or the place where an undertaking or part of an undertaking is carried on. The Manitoba, New Brunswick and Saskatchewan Acts were made applicable to provincial government employees.

Under all the Acts, enforcement begins with the filing of a written complaint. In four provinces a person claiming to have been discriminated against may register a complaint with a designated officer of the Department of Labour. In New Brunswick a complaint must be lodged with the Minister of Labour, in Alberta with the Chairman of the Board of Industrial Relations, in Prince Edward Island with the Labour Relations Board, and in Ontario with the Ontario Human Rights Commission.

In all provinces except Prince Edward Island the legislation provides for an informal inquiry into a complaint (in Ontario by the Ontario Human Rights Commission and in the other provinces by an officer of the Department of Labour—in Manitoba, by an officer of the Department of Labour or any other person). If the person designated to make the inquiry is unable to settle the matter, a board or commission of one or more persons may be appointed to ascertain the facts and to make recommendations in New Brunswick, Nova Scotia, Ontario and Saskatchewan. In Alberta and British Columbia, the matter may be referred to an existing

board, the Board of Industrial Relations. Under the Manitoba Act, the second stage of the procedure is the appointment of a referee, who may or may not be an officer of the Department of Labour, to make an inquiry with a view to the settlement of the complaint and to recommend to the Minister the course that ought to be taken. All these Acts provide that the parties to the complaint must be given full opportunity to present evidence and to make representations. The recommendations of the board, commission or referee, as the case may be, may be put into effect by an order of the Minister of Labour (in Alberta, an order of the Board of Industrial Relations). Compliance with the order is required.

The Prince Edward Island Act authorizes the Labour Relations Board to "inquire into the complaint and endeavour to effect a settlement of the matters complained of". There is no provision in the Act for a Board order, with which compliance is required.

In Manitoba, an information may be laid against an employer who fails to comply with an order of the Minister and the magistrate may order the employer to pay any wages found to be due to the employee. In Alberta, an employer convicted of an offence under the equal pay provisions of the Act is made liable for the payment of whatever additional remuneration the employee would have received if the employer had complied with the Act, subject, however, to a limitation of six months' wages.

In Manitoba, the failure of an employee to lodge a complaint with the Minister within 30 days after receiving his or her first wages at an unlawful scale bars the employee from making a complaint and having it dealt with under the Act.

HOURS OF WORK

Five provinces have Acts of general application regulating working hours (the Alberta Labour Act, Part I; the British Columbia Hours of Work Act; the Manitoba Employment Standards Act, Part III; the Ontario Hours of Work and Vacations with Pay Act; and the Saskatchewan Hours of Work Act). These Acts are of two types.

The Acts of Ontario, British Columbia and Alberta set a maximum number of hours per day and per week beyond which an employee must not work. Hours are limited in Ontario to 8 in a day and 48 in a week, and in British Columbia to 8 in a day and 44 in a week. In Alberta, the limits are 8 and 44 hours in all centres with a population of over 5,000, and 8 and 48 hours in the remainder of the province.

All three laws provide for exceptions in certain circumstances. Exceptions are authorized in orders or regulations of the administrative board or through the issuing of a permit. In both Alberta and British Columbia, the administrative board has authority not only to permit working hours to exceed statutory limits but also to fix the minimum wage payable for overtime. In both provinces the board has made special orders for a considerable number of industries, permitting variations from the daily and weekly hours specified in the Act or exempting workers entirely from hours limitations.

The regulations under the Ontario Act are of general application and limit overtime to 100 hours in each year for each employee. To work such overtime, however, authorization must be obtained from the administrative board. Engineers, watchmen, firemen, shippers and other persons engaged in non-productive work may, with board approval, work 12 hours' overtime in each week. Overtime work of young persons under 18 is limited to 6 hours in a week.

The Manitoba and Saskatchewan Acts set standard hours as opposed to maximum hours. They do not limit the hours which may be worked in a day or in a week but require the payment of time and one-half the regular rate after a specified number of daily or weekly hours. To prevent the working of excessively long hours, the Saskatchewan Legislature amended its law in 1958, empowering the Lieutenant-Governor in Council to limit daily hours in any occupation to 12, except in special circumstances or when permission to work longer hours has been obtained from the Minister of Labour. Only one such regulation has been made, setting a daily limit of 12 hours for highway construction and maintenance.

The Manitoba law, which applies only to the chief industrial areas of the province, requires payment of the overtime (time and one-half) rate after 8 and 48 hours (44 for women).

The Saskatchewan Act requires the payment of the overtime rate after 8 and 44 hours.

The Manitoba and Saskatchewan laws also provide for exceptions. The Manitoba law permits working hours to be varied in certain circumstances without payment of the overtime rate.

In Saskatchewan, it has been necessary to provide for some relaxation of the provisions of the Act, and regulations permit a 48-hour week to be worked in workplaces, other than factories, in the smaller centres before overtime rates apply. Other regulations permit hours to be averaged over a specified period, thus allowing some variation from week to week. Certain classes of employees have been entirely exempted from the Act, with the result that these classes have no entitlement to overtime pay.

Under all the Acts, there is provision for working 9 or more hours in a day in order to establish a 5- or 5½-day week, so long as weekly hours are not exceeded. There is also provision, except in Saskatchewan, for hours to be exceeded in emergencies.

Maximum hours fixed under hours of work laws and the application of each Act in general terms are set out on page 25.

Apart from general hours of work laws, working hours are regulated to some extent under other statutes. Schedules under industrial standards legislation in five provinces, and decrees under the Quebec Collective Agreement Act regulate hours in construction and other industries. Schedules and decrees apply to designated zones; a number apply throughout the province. Generally speaking, standard weekly hours for the construction trades range from 40 to 48, but 50-, 54- and 55-hour limits are in effect in some areas of Quebec. A 40-hour week is the usual standard in the larger centres. In another industry regulated by schedules and decrees in Ontario and Quebec,

the manufacture of men's and ladies' clothing, standard weekly hours are usually 37½ or 40. A 45-hour week is in effect for the shoe industry in Quebec.

In Manitoba, maximum hours which may be worked at regular rates are set under the Construction Industry Wages Act, which applies to both private and public construction work. At the present time a 40- or 42½-hour week is in effect for most classifications of construction work in the Greater Winnipeg area, and a 48-hour week in the rest of the province.

Mining legislation in New Brunswick and Nova Scotia, which sets a maximum 8-hour day for underground work in mines, provides the only statutory regulation of hours of work of miners in those provinces; hours of work Acts apply to mining in other provinces. The Quebec Mining Act sets a maximum 48-hour week for work below ground for boys under 17.

Working hours of women and young persons are restricted by the New Brunswick Minimum Employment Standards Act and by factory legislation in some of the other provinces. Under the New Brunswick Minimum Employment Standards Act, which is applicable to any place of employment other than a private home or a farm, hours of women and boys under 18 are limited to 9 in a day and 48 in a week, unless special permission to work longer hours is obtained from the Minister of Labour. Quebec factory law restricts hours of women and boys under 18 to 10 in a day and 55 in a week in factories and to 60 hours in a week in commercial establishments in towns with more than 10,000 people. In Saskatchewan, women and boys under 18 employed in factories are prohibited from working more than 48 hours in a week. The Nova Scotia Factories Act limits hours of boys and girls under 16 to 8 in a day and 48 in a week.

In Newfoundland, the Hours of Work Act, 1963, limits working hours of shop employees throughout the province to 8 in a day and 40 in a week, unless one and one-half times the regular rate is paid.

Under fair wage legislation in Ontario and British Columbia, workers employed on projects undertaken under contract with the provincial Government may not work more than 8 hours in a day or 44 hours in a week, except in special circumstances. Under similar legislation in New Brunswick, there is no daily limit on working hours but weekly hours may not exceed 44.

The Nova Scotia Minimum Wage Act, 1964, gives the Minimum Wage Board power to establish the regular working period and the maximum number of hours that may be worked regularly in any industry or occupation.

In all provinces except Ontario and Saskatchewan, there is also some indirect regulation of hours by virtue of provisions in minimum wage orders requiring the payment of an overtime rate after a specified number of hours of work.

A minimum wage order of considerable significance with regard to working hours because of its wide coverage is General Minimum Wage Order 4 in Quebec. Order 4 is a blanket order applying to all workers in the province except those covered by decrees, workers governed by special minimum wage orders, farm workers and domestic servants. The minimum

rates set by Order 4 apply to a "regular workweek" of 48 hours, after which an overtime rate of one and one-half times the minimum rate must be paid.

The minimum wage regulations in Manitoba are also of importance with regard to working hours because of their application in those parts of the province in which the hours provisions of the Employment Standards Act do not apply. These regulations require payment of time and one-half the minimum rate after standard hours of work (48 in a week for men and 44 for women). They also limit the number of hours of overtime which a woman may work to 3 in a day, 12 in a week and 24 in a month.

In British Columbia, in an increasing number of minimum wage orders payment of time and one-half the *regular* rate is required after 40 hours in a week. The 40-hour standard workweek, after which the overtime rate is to be paid, is now in effect in factories, shops, offices, hotels and catering, laundries, fish processing and construction and in a considerable number of other employments.

In Saskatchewan, the Minimum Wage Board has no authority to fix overtime rates. All overtime pay requirements are laid down in the Hours of Work Act and orders under it.

Overtime rates fixed under minimum wage orders are shown on page 19.

WEEKLY REST-DAY

Nine provinces—Alberta, British Columbia, Manitoba, Newfoundland, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan—provide for a weekly rest-day but the provisions vary in scope.

The Alberta Labour Act requires all employed persons except farm workers and domestic servants to be given a day of rest immediately following each period of not more than six consecutive days of work, unless the Board of Industrial Relations orders that the hours of rest be allowed in two periods or that a longer period than 24 hours be granted. The Act enables the Board to make special provision for days of rest in continuous industries and permits a consecutive rest period every four weeks or in relation to some other work period which the Board may deem proper. Under this authority the Board has made special provision for accumulated days of rest in the highway construction, geophysical exploration, oil well drilling, oil well service and pipeline construction industries and for cooks, night watchmen, etc., in lumber camps.

Orders under the British Columbia Minimum Wage Acts provide for a rest-period of 32 hours weekly for workers in factories, shops, offices, hotels and catering, laundries, hospitals, the woodworking industry, ship-building, public places of amusement, for elevator operators, for men in undertaking establishments, for janitors, for patrolmen, for taxicab drivers and for bicycle-riders and foot-messengers employed exclusively on delivery. Different arrangements may be made on application of the employer and employees concerned, if the Board approves. An order governing employees in resort hotels in unorganized territory during the summer season provides for a weekly rest of 24 hours.

PROVINCE	DAILY AND WEEKLY LIMITS	APPLICATION
Alta.	8, 44 (centres over 5,000) 8, 48 (rest of province)	All employment except farm labour and domestic service. Exceptions allowed for some industries (e.g., trucking, taxicab, lumbering, highway and pipeline construction).
B.C.	8, 44	Applies to industries in Schedule, including <div> <div>mining</div> <div>catering</div> <div>manufacturing</div> <div>elevator operators</div> <div>construction</div> <div>hotel clerks</div> <div>barbering</div> <div>truck drivers</div> <div>mercantile</div> <div>bus operators</div> <div>baking</div> </div> Exceptions allowed for some industries (e.g., trucking, logging, fruit and vegetable canning, bus operators).
Ont.	8, 48	Industrial undertakings. Funeral directing, grain elevators, commercial fishing, stevedoring and a few other occupations excluded.
Man.	Limits of 8, 48 (men) and 8, 44 (women) apply unless time and one-half the regular rate is paid in chief industrial areas of province.	Applies to industries in Schedule, including <div> <div>mining</div> <div>baking</div> <div>manufacturing</div> <div>milk processing</div> <div>barbering</div> <div>and distribu-</div> <div>hairdressing</div> <div>tion</div> <div>offices</div> <div>catering</div> <div>mercantile</div> <div>road transport</div> <div>insurance</div> <div>elevator operators</div> <div>hotel clerks</div> </div>
Sask.	Limits of 8, 44 (8, 48, except for factories, in smaller centres) apply unless time and one-half the regular rate is paid.	Most employment. Farm workers, domestic servants in private homes, janitors in residential buildings, logging, fishing and fish-processing, road construction excluded. Exceptions allowed for some industries (e.g., oil truck drivers, newspaper staff, pipeline construction).

In Manitoba, a weekly day of rest, if possible Sunday, must be granted to employees in mining, manufacturing, shops, offices, catering, barbering and hairdressing, the insurance business, the baking industry, the transport of goods by road, the processing and distribution of milk and its products and to elevator operators and hotel clerks. Exempted are

watchmen, janitors and firemen living in the building in which they are employed; persons not usually employed more than five hours in a day; managers and supervisory employees; repair workers in emergencies; and persons employed for not more than three hours on a weekly rest-day merely for the purpose of looking after horses as part of their usual duty. The Minister of Labour is given discretion to exempt a particular undertaking from the application of weekly rest provisions for a fixed period or indefinitely. Where a plant is exempted, each employee must be given an additional holiday without pay for each weekly day of rest to which he would have been entitled except for the permit of exemption, and the holidays may be accumulated.

In Newfoundland, the Hours of Work Act, 1963, which applies to shops throughout the province, requires shop assistants to be given a day off in each week in addition to Sunday, except in the weeks in which 8 specified holidays occur. In the weeks in which 5 other specified holidays occur, they must be given a day off in addition to Sunday and the holiday.

The New Brunswick Minimum Employment Standards Act requires employers to give their employees a weekly rest of at least 24 consecutive hours, to be taken if possible on Sunday. Where a weekly rest is impracticable, the Minister of Labour may permit rest periods to accumulate and to be taken later, either part at a time or all together. The only employees not covered are farm workers, employees required to cope with an emergency and part-time workers who are not usually employed more than five hours in a day. Certain groups of employees may be designated by the Lieutenant-Governor in Council as being outside the scope of the Act.

In Nova Scotia, every employer in mining, manufacturing and construction is required to grant his employees a weekly rest of at least 24 hours. Wherever possible, the period of rest must be on Sunday and must be granted simultaneously to the whole of the staff of each undertaking.

In Ontario, in cities of 10,000 or more people, workers in hotels and restaurants must be allowed a weekly rest-day, Sunday if possible. Watchmen, janitors, foremen, and those employed for five hours or less in a day are exempted.

In Quebec, Minimum Wage Order 4, applying generally to all industries within the scope of the Act not covered by special orders, provides for a weekly rest of 24 hours or two periods of 18 consecutive hours each for the employees covered by its provisions. Farm workers, domestic servants and employees covered by decrees under the Collective Agreement Act are the only workers not within the scope of the Minimum Wage Act. The four special minimum wage orders contain the same provision as Order 4, excluding only a few classes of workers in forest operations, caretakers provided with free lodgings in hotels, restaurants and hospitals, and employees of real estate undertakings. Under the Quebec Weekly Day of Rest Act, persons employed in hotels, restaurants or clubs in places of at least 3,000 population must have 24 consecutive hours' rest in a week. In the Quebec district, the inspector may permit two periods of 18 consecutive hours each instead of one 24-hour period. Where there is only one cook, the 24-hour rest may be replaced by two 12-hour periods.

The Saskatchewan statute provides for a weekly rest of at least 24 hours, wherever possible on Sunday, for the employees of any employer covered by an order of the Minimum Wage Board. (Only agriculture, domestic service and a few other occupations are not covered by minimum wage orders.) Exempted are managers, employees not usually working for more than five hours in a day, and repair men in emergencies. The Minister of Labour may exempt particular employers for not more than one year. Any specified class of employers may be excluded by Order in Council, subject to such conditions as may be prescribed.

ANNUAL VACATIONS WITH PAY

Of the ten provinces, all except Newfoundland and Prince Edward Island have annual vacation laws. The provisions regarding annual vacations with pay are contained in the Alberta Labour Act and in four orders under it; in the Ontario Hours of Work and Vacations with Pay Act and regulations; and in Quebec Minimum Wage Orders 3 and 39*. Vacation with pay provisions are also contained in most decrees under the Quebec Collective Agreement Act.* In the other provinces annual vacations with pay are provided for in separate statutes.

In the eight provinces in which annual vacations are provided for by law, most workers are entitled to an annual paid vacation or to vacation pay. The principal exceptions are noted below.

Farm workers are excluded in all provinces. Also excluded are persons employed in horticulture in British Columbia, in growing flowers, fruits or vegetables in Ontario, and in ranching and market gardening in Manitoba and Saskatchewan. Domestic servants are exempted in all provinces but Manitoba and Saskatchewan. Professional workers are excluded in British Columbia and Ontario; employees of municipal and school corporations in Quebec; and members of family undertakings in Saskatchewan. Salesmen are excluded in Alberta, Ontario and Quebec but in Quebec the exclusion is limited to those with less than three months' service and those who work for two or more employers at the same time. Part-time workers employed four hours or less in a day or 24 hours or less in a week are not covered in New Brunswick; those working three hours or less in a day are excluded in Quebec; and those employed for eight hours or less in a week are exempted from the main Alberta order.

Also excepted, in addition to the groups already mentioned, are workers employed in lumbering and commercial fishing in Nova Scotia, persons engaged in funeral directing and embalming in Ontario, and apartment house janitors, caretakers provided with free lodgings and homeworkers in

*Provisions for an annual vacation with pay or pay in lieu of a vacation vary in the approximately 105 decrees in effect under the Collective Agreement Act and are not dealt with in this bulletin. The Department of Labour or Minimum Wage Commission has no jurisdiction with respect to the administration and enforcement of the decrees, which are under the supervision of the parity committee concerned. The legislation described above is Minimum Wage Order 3. Order 39 of the Minimum Wage Commission governing forest operations provides that every employee must be given vacation pay equal to 2 per cent of earnings on termination of employment or, if employment has been continuous for the previous 12 months, during the month of May of each year.

Quebec. The large group of workers governed by decrees under the Collective Agreement Act are also outside the scope of the Quebec vacation order (see footnote on page 27). Workers governed by a collective agreement in British Columbia are exempted from the Act if the Minister of Labour approves the vacation provisions of the agreement.

In New Brunswick, Nova Scotia, Ontario and Quebec, the vacation with pay to which a worker is entitled under the law is one week after a year of employment; in Alberta, British Columbia and Manitoba, it is two weeks after a year of employment. The Saskatchewan Act provides for an annual paid vacation of two weeks after each of the first four years of service and of three weeks after the fifth year and each year thereafter. The period of five years of employment with the same employer necessary for an employee to qualify for a three weeks' vacation may be continuous or may be made up of "accumulated" years, provided that no break in employment exceeds 6 months (182 days). The Saskatchewan Act also provides that a system of cumulative vacations may be established by regulations, under which an employee may, by agreement with his employer and the approval of the Minister, postpone one week of his vacation each year for a period not exceeding four years.

The length of the vacation period and the vacation pay requirements in the various provinces are shown in the table below.

	N.S.	N.B.	Que.	Ont.	Man.	Sask.	Alta.	B.C.
Length of Annual Vacation	1 week	1 week	1 week	1 week	2 weeks	2 weeks; 3 weeks after 5 years' service	2 weeks	2 weeks
Vacation Pay	2% of annual earnings	2% of annual earnings	Regular pay if paid by the week or longer period; otherwise 2% of annual earnings	2% of annual earnings	Regular pay	1/26 of annual earnings in first four years; 3/52 of annual earnings after fifth year	Regular pay	4% of annual earnings

The employer may determine the time when each of his employees may take the annual vacation provided for, within certain limits laid down by law. The vacation must be given in New Brunswick not later than 4 months after June 30; in Saskatchewan within 10 months, and in British Columbia, Manitoba, Nova Scotia and Ontario not later than 10 months, after the date on which the employee becomes entitled to a vacation; in Quebec within 12 months after May 1; and in Alberta not later than 12 months after the date of entitlement.

In Quebec, if a worker has worked less than a year, he is entitled to a half-day of vacation for each calendar month of employment; in Saskatchewan, a worker with less than a year's service with his employer may be given one day of vacation for each month.

Several of the laws specify the working time constituting a year of employment. In British Columbia and New Brunswick, a year's service consists of not less than 225 working days (in New Brunswick, working days or shifts). In Manitoba, an employee is held to have completed a year's service if he has worked not less than 95 per cent of the regular working hours during a continuous 12-month period. In Alberta and Nova Scotia, the employee must have worked 90 per cent or more of the working time during the year (of the regular working days in the establishment in Alberta and of regular working hours in Nova Scotia).

Where a worker has worked less than the prescribed working time for a year's service and continues to work for the same employer, he is entitled to an annual vacation on a pro rata basis in Alberta and to accrued vacation pay for the period worked during the year in British Columbia, New Brunswick and Nova Scotia (at the rate of 4 per cent of earnings in British Columbia and at the rate of 2 per cent in New Brunswick and Nova Scotia). The vacation pay is payable in New Brunswick not later than the next regular pay period after the end of the vacation pay year and in the other two provinces within a month after the anniversary date of the workman's employment. A worker in the construction industry in Ontario whose employment with his employer extends beyond June 30 must be given vacation stamps on that date equal in value to 2 per cent of his earnings during the preceding period of employment.

If employment is terminated during a working year, the worker is entitled to vacation pay for the period of his employment in Alberta, British Columbia, New Brunswick, Nova Scotia, Quebec and Saskatchewan. In Ontario, a worker who ceases to be employed before working a full year is entitled to vacation pay credits in the form of stamps.

A number of the laws provide, however, that a worker must have completed a minimum period of service in order to qualify for vacation pay on termination of employment. A worker must have been employed for at least 30 days in Alberta and for at least three months in Nova Scotia in order to be eligible for vacation pay. In Ontario, an employee who leaves his employment of his own accord must have been employed for at least three months in order to qualify for vacation credit; where, however, the employment is terminated by the employer, the employee must be given vacation credit for whatever time he has been employed. Payment is made at the rate of 4 per cent of regular pay in Alberta, 4 per cent of earnings in British Columbia, $1/26$ or $3/52$ of earnings, depending on the year of employment, in Saskatchewan, and 2 per cent of earnings in the other provinces.

A stamp system of vacation pay credits is in effect in Alberta, Nova Scotia and Ontario for workers in the construction industry who are frequently employed by several employers during a year. In Ontario, as indicated above, the stamp system is used in any industry under the Act if employment is terminated during a working year. In Alberta and Nova Scotia, there is provision in the legislation for the use of the stamp system in industries other than construction, and in British Columbia, the board which administers the Act has authority to establish a system of vacation credits.

Under the vacation stamp system, the employer is required to affix vacation with pay stamps to the worker's stamp book at the end of each pay period in Alberta, or in Nova Scotia and Ontario, when the employment ends. In Ontario, stamps must be affixed within 10 days after the worker presents his book; in Nova Scotia, the employer must furnish the worker with a stamp book within 10 days after his employment is terminated and affix to the book the requisite amount of stamps. Stamps are equivalent to 2 per cent of the worker's earnings in Nova Scotia and Ontario and to 4 per cent in Alberta.

Stamps may be exchanged for their cash value at a savings bank at any time within the 12 months beginning on January 15 in each year in Alberta, at any time after the anniversary date of the worker's employment in Nova Scotia, and after June 30 in each year in Ontario.

In Manitoba, an accumulated credit system is in effect for transitory employees in the construction industry in Greater Winnipeg. The system provides for regular deposit by employers with the Department of Labour of vacation wages owing to employees, and the disbursement of these wages annually to the employee by cheque.

An employer is required to make payment of vacation pay credits (4 per cent of the wages earned in the pay period) to the Minister of Labour within five days after each regular pay-day or within such other times as may be prescribed. Upon request, the Minister may authorize the remittance of vacation pay credits within 15 days after the end of the month in which wages were earned.

With the remittance, the employer must furnish specified information for departmental records, including the name and address of the employer, the name of each employee, his unemployment insurance number or the departmental number assigned to him, amount of wages exclusive of overtime earned during the pay period, and vacation pay credits for the period. The employer is also required to give written notice to the employee of the amount of vacation pay credited to his account. Vacation moneys are deposited in a special division of the Consolidated Fund.

Payment of vacation pay to the employee is made by cheque after the first day of July in each year. The cheque, representing the accumulated vacation pay credits of the employee, less a charge for administrative costs, is sent to the employer reporting a vacation pay credit for the employee for the last pay period in the month of June.

An unemployed construction worker in the Greater Winnipeg area who is registered with the National Employment Service but has not been directed to a job and who has exhausted his unemployment insurance benefits may obtain his vacation pay at any time after November 30 in any year.

Minimum wage orders in Prince Edward Island governing women workers in restaurants in Charlottetown and Summerside and in laundries throughout the province require these workers to be granted a week's vacation with full pay after a year of continuous employment and a two weeks' vacation after two years' service.

PUBLIC HOLIDAYS

Only two provinces, Manitoba and Saskatchewan, have enacted legislation of general application dealing with public holidays. In Alberta, an amendment to the Alberta Labour Act in 1964 gave the Board of Industrial Relations authority, subject to the approval of the Lieutenant-Governor in Council, to lay down requirements with regard to pay for employees who do not work on public holidays and for those who do work on such days. Alternatively, the Board may provide that an employer may pay an employee, in lieu of pay in respect of each holiday, a specified percentage of his ordinary wages on termination of employment or at the time he commences his annual vacation, whichever is earlier. The Board has not yet exercised this authority.

In Saskatchewan, minimum wage orders require employees who do not work on any of eight public holidays to be paid their regular pay. The eight holidays are New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day, Remembrance Day and Christmas Day.

If required to work on a holiday, employees in all workplaces except hotels, restaurants, hospitals, nursing homes and educational institutions must receive, in addition to their regular pay for the holiday, time and one-half the regular rate for every hour or part of an hour worked, in effect, two and one-half times their regular pay.

Workers in hotels, restaurants, hospitals, nursing homes and educational institutions who are required to work on a holiday must be paid, in addition to their regular pay, wages at the regular rate or they may be granted equivalent time off at regular rates within four weeks.

When Christmas or New Year's Day falls on Sunday, the requirements set out above apply to the following Monday. They also apply when the Monday following Remembrance Day is declared a holiday. By agreement between an employer and a trade union representing a majority of the employees in an appropriate bargaining unit, another working day may be substituted for any of the eight listed holidays. Where workers are not represented by a trade union, the Minister of Labour may by order permit a similar substitution, if he is satisfied that the employer and a majority of the employees are in favour of the change.

The Manitoba provisions, which are contained in the Employment Standards Act, prohibit work on specified public holidays unless an overtime rate is paid.

In all employment except farming, subject to the exceptions noted below, workers are entitled to time and one-half their regular rate if required to work on seven "general holidays"—New Year's Day, Good Friday, Victoria Day, Dominion Day, Labour Day, Thanksgiving Day and Christmas Day.

For workers employed in a continuously operating plant, a seasonal industry, a place of amusement, a gasoline service station, a hospital, a hotel or a restaurant, or in domestic service, compensatory time off with pay may be substituted, in accordance with custom or agreement. Domestic servants may be granted two half-days off in lieu of a holiday. The com-

pensatory time off must be given within 30 days of the holiday, unless another date is fixed at the request of the employee.

A special Act in Manitoba deals with the observance of Remembrance Day. Except in farming and certain essential services, work may not be performed except by permit from the Minister of Labour. Overtime provisions are not applicable on Remembrance Day. Any employee, other than a watchman, furnace tender or janitor, who is required to work and who is paid at his regular rate of pay must be granted equivalent compensatory time off, without loss of pay, within 30 days.

Provisions in minimum wage orders in Nova Scotia, Prince Edward Island, Manitoba and Alberta deal with the question of pay for public holidays to the extent of prohibiting deductions from the minimum wage for time not worked on a holiday.

Nova Scotia minimum wage orders, which are applicable to women workers only, prohibit any deduction from the minimum weekly wage for time not worked because of public holidays, if an employee has worked all the scheduled working days in the week during which the holiday occurs, and in the case of a holiday falling on Monday, if she worked the last scheduled working day immediately before the holiday.

The Prince Edward Island minimum wage orders applying to women workers in restaurants in Charlottetown and Summerside and a five-mile radius of each and in laundries throughout the province contain provisions similar to that in the Nova Scotia orders noted above. They provide, in addition, that a worker who is required to work on a public holiday must be granted a day off without deduction within 14 days.

In Manitoba, both men and women workers are protected against a reduction in the minimum weekly wage for time not worked on a general holiday (as listed above) which falls on a regular working day. Where an employee does not work on a holiday but does work the regularly scheduled hours on all the other working days in the week, it is to be presumed, for the purpose of determining the minimum amount of wages to be paid to the employee for that week, that he worked regular hours on the holiday. An employee does not lose the benefits of this provision through being absent on either the day before or the day after the holiday because of established illness or with the employer's consent.

The Alberta minimum wage orders forbid an employer to reduce the wages of a full-time employee of either sex below the prescribed minimum wage by making a deduction for time not worked on a holiday when the employer's place of business is closed.

The Factories Act of British Columbia makes it mandatory for factories, with the exception of certain continuous industries, to close on specified public holidays unless the inspector gives permission for employment, but it does not deal with the question of pay for the holidays. The establishments for which a permit is not required are those engaged in the production of light, heat or power, railway and street railway repair shops, metallurgical works, bakeshops in a municipality, milk processing and distributing plants, oil refineries, factories manufacturing cement, glass or chemicals, and laundries operated in conjunction with hospitals.

Public holidays, under the Factories Act, include Christmas, New Year's Day, Victoria Day, Dominion Day, Labour Day, Remembrance Day, any day declared to be a public holiday by Proclamation, and, at the option of the employer, either Good Friday or Easter Monday. Boxing Day (December 26) and Thanksgiving Day are proclaimed each year as holidays under the Factories Act.

Under the Municipal Act, shops in all municipalities in British Columbia must be closed on the holidays listed above, including both Good Friday and Easter Monday, and on Boxing Day, the Queen's Birthday and Thanksgiving Day. There is also legislation in Newfoundland requiring shops to be closed on 12 specified public holidays and on one additional holiday fixed by the municipality.

Provisions prohibiting work on specified public holidays except with permit, stipulating that certain holidays must be observed as paid holidays, or requiring the payment of an overtime rate for work done on specified holidays are regular features of the decrees under the Quebec Collective Agreement Act and of industrial standards schedules in Alberta, New Brunswick, Nova Scotia, Ontario and Saskatchewan. These provisions, while regulating a considerable portion of industry, particularly in Quebec, apply only to certain trades and areas in the province concerned. They are not dealt with in this bulletin.

FAIR EMPLOYMENT PRACTICES

Legislation prohibiting discrimination in hiring and conditions of employment and in trade union membership on grounds of race, colour, religion or national origin is in effect in British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan. In addition, the British Columbia law prohibits discrimination on grounds of age and the Quebec law forbids discrimination on the basis of sex.

All the Acts forbid discrimination on grounds of race, colour, religion and national origin but these prohibitions are expressed in somewhat different terms. "National origin" is defined in the Manitoba Act to include ancestry, and, in the New Brunswick Act, nationality and ancestry. Instead of "national origin" the British Columbia and Ontario Acts use the wording "nationality, ancestry or place of origin". The Nova Scotia and Saskatchewan Acts specify "ethnic or national origin" and include "religious creed" as well as "religion".

The Quebec Act defines "discrimination" as "any distinction, exclusion or preference made on the basis of race, colour, sex, religion, national extraction or social origin, which has the effect of nullifying or impairing equality of opportunity or treatment in employment or occupation". In prohibiting discrimination in employment on grounds of sex in its fair employment practices law, Quebec has followed a different practice from other Canadian jurisdictions. All other provinces except Newfoundland have enacted equal pay laws forbidding discrimination in rates of pay solely on grounds of sex.

The British Columbia Act was amended in 1964 to forbid discrimination in employment on grounds of age with respect to persons between the ages of 45 and 65.

On any of the above grounds (including sex in Quebec and age in British Columbia) an employer is forbidden to refuse to employ or to discharge any person or discriminate against any person in regard to employment or any term or condition of employment.

Trade unions are forbidden to exclude any person from membership, to expel or suspend any of their members, or to otherwise discriminate against a member or other person. The Quebec law forbids both associations of employees and employers' associations to discriminate in admitting, suspending or expelling a member.

The Acts contain further prohibitions regarding the publication of advertisements, the use of application forms and the making of inquiries, in connection with the hiring of an employee by an employer, which express or imply discrimination on any of the forbidden grounds. In Quebec, it is made an offence to publish any advertisement or display any notice or exhibit any symbol in connection with employment implying or suggesting discrimination. The Act further provides that no person may require a prospective employee to furnish any information respecting his race, colour, religion, national extraction or social origin. The Saskatchewan provisions prohibit any expression of discrimination or of intent to discriminate, and the inclusion in an application form, advertisement or inquiry of any question or request for particulars as to an applicant's race, colour, religion or national origin. The British Columbia, Manitoba, New Brunswick and Saskatchewan Acts allow an exception, however, where a limitation, specification or preference is based upon a *bona fide* occupational qualification. Similarly, the Quebec law states that any distinction, exclusion or preference based on the requirements of a particular job is not to be considered discrimination.

The prohibitions noted above are applicable to employment agencies as well as to employers, and the Manitoba, Nova Scotia and Saskatchewan Acts forbid an employer to use an employment agency which practises discrimination against persons seeking employment. In Manitoba, New Brunswick, Nova Scotia and Saskatchewan, employers and trade unions may not discharge, expel or otherwise discriminate against any person for making a complaint under the Act.

The Nova Scotia and Saskatchewan Acts apply to all employers regardless of the number of their employees. Under the other Acts, employers with fewer than five employees are excluded. Domestic servants employed in private homes are exempted from all the Acts. Non-profit charitable, philanthropic, fraternal, religious or social organizations are also excluded. The British Columbia Act is expressly stated to apply to schools operating under the Public Schools Act and in Saskatchewan, while educational institutions are covered, the right of a school or board of trustees to hire persons of a particular religion where religious instruction forms or can form part of the instruction provided is recognized. With these exceptions, educational institutions are excluded. The Quebec Act also exempts the directors or officers of a corporation, managers, superintendents, foremen and persons who represent the employer in his relations with his employees. The Manitoba, New Brunswick, Quebec and Saskatchewan Acts are applicable to provincial government employees.

The provisions for enforcement of the fair employment practices Acts are similar to those laid down in the equal pay laws. Action in all cases is initiated by the filing of a written complaint. In Quebec, a complaint must be made to the Minimum Wage Commission, which is responsible for the administration of the Act. In Saskatchewan, a complaint must be filed with the Attorney-General's Department. In the other provinces, complaints are dealt with in the Department of Labour.

The Acts provide first for an informal investigation and, in most provinces, as a second step, for the appointment of a commission of one or more persons to deal with a complaint which is not settled at the earlier stage. In British Columbia the Board of Industrial Relations acts as a commission of inquiry, and in Quebec the Minimum Wage Commission, one of its members or a person authorized by it may investigate the matter further. The Quebec Minimum Wage Commission must report on the inquiry to the Minister of Labour but there is no provision for a ministerial order. In the other provinces, upon receipt of the board's or commission's recommendations, the Minister may issue an order to put them into effect. Under the Manitoba Act, a person affected by an order of the Minister has the right to appeal to a judge; under the other Acts, the Minister's order is final and must be complied with. Prosecution under the Acts, for which the consent of the Minister is required, may result in a fine.

Educational programs designed to promote understanding of and compliance with the legislation may be carried on in Manitoba, Nova Scotia and Saskatchewan under the authority given to the Minister (in Nova Scotia, the Lieutenant-Governor in Council) to undertake inquiries and other measures to promote the purposes of the Act. In Ontario, the Ontario Human Rights Commission, which administers the Ontario Human Rights Code, is authorized to carry on a program of education designed to eliminate discriminatory practices.

NOTICE OF TERMINATION OF EMPLOYMENT

Four provinces, Manitoba, Saskatchewan, Nova Scotia and Quebec, have legislation requiring an employer or employee to give notice of termination of employment. The legislation is contained in Part III of the Employment Standards Act in Manitoba, in the Minimum Wage Acts of Saskatchewan and Nova Scotia, and in the Civil Code in Quebec.

In Manitoba, an employer or employee in any work or occupation except farming must give notice of termination of employment and, except in the case of a person paid less frequently than once a month, the period of notice required is one regular pay period. If employees are paid less often than once a month, reasonable notice must be given. Notice of termination is not required if an employee is hired for a fixed period.

The requirements for giving notice do not apply if a general custom or practice prevails in an industry which is contrary to the terms of the Act or where different conditions concerning notice are established by collective agreement. If employment is terminated during an employee's first two weeks in a job, notice is not required unless the employer and employee have agreed in writing that the requirements of the Act will apply.

An employer is permitted to establish a practice whereby employment may be terminated with a shorter period of notice than that provided for in the Act, and the practice is considered to have been established one month after he has notified each of his employees in writing of the practice and has posted a notice setting out the terms of the practice. Each new employee must be informed of the practice by written notice at the time employment begins.

Complaints of failure to give the required notice may be made in writing to the Minister of Labour within a period of 90 days after employment is terminated. A procedure is laid down in the Act for the settlement of such complaints.

In Saskatchewan, an employer is forbidden to discharge (unless for just cause other than shortage of work) or lay off an employee who has been in his service continuously for three months or more without giving him at least one week's written notice. "Lay-off" is defined as a temporary dispensation with an employee's services for a period of more than six consecutive days.

An employee who has been given written notice is entitled, in respect of the period of notice, to his actual earnings during the week or his normal wages for one week, exclusive of overtime, whichever amount is greater. If notice is not given, the employee is entitled to his normal wages for one week, exclusive of overtime. Where an employee's wages vary from week to week, his normal weekly wage is to be obtained by averaging his earnings, exclusive of overtime, for the four-week period immediately preceding the date on which notice was given or, if no notice was given, the date of discharge or lay-off.

In Nova Scotia, as in Saskatchewan, an employer is required to give an employee with three months' continuous service or more at least one week's written notice of termination of employment or lay-off. The provisions in these two provinces are the same so far as the employer's obligation is concerned. The Nova Scotia Act also requires an employee with three months' service or more to give his employer at least one week's notice of his intention to terminate his employment.

When employment is terminated for any reason or after any period of employment, the employer is required to pay all wages owing within ten days of termination.

The Nova Scotia provisions regarding notice of termination of employment do not apply where another period of notice or another time of payment of wages is provided for in a written contract of employment between an employer and an employee or in a collective agreement between the employer and a trade union of which the employee is a member.

In both Nova Scotia and Saskatchewan, the requirement to give notice applies to all employees except farm labourers and domestic servants.

In Quebec, Section 1668 of the Civil Code requires a domestic servant, journeyman or labourer engaged by the week, month or year to give one week's notice of termination of employment if hired by the week, two weeks' notice if by the month, and a month's notice if by the year. The employer must give similar notice where an employee's services are no longer required.

In lieu of notice, the employer may pay the employee the wages he would have earned during the notice period.

Some decrees under the Quebec Collective Agreement Act require the giving of notice of termination of employment.

WORKMEN'S COMPENSATION

All provinces have a workmen's compensation law of the "collective liability" type.

In each province a Workmen's Compensation Act applicable to most industries and occupations provides for the payment of compensation to a workman or his dependants in case of accident or industrial disease arising out of and in the course of employment. The only exceptions are (1) where the workman is disabled for less than a stated number of days, or (2) where the injury is attributable solely to his serious and wilful misconduct and does not result in death or serious disablement.

Compensation is payable by employers collectively. Compensation, medical expenses and other benefits are paid from a provincial Accident Fund built up by annual assessments, in the form of a percentage of payroll, levied on employers covered by the Act. For assessment and compensation purposes, industries are classified according to their hazard and each class is liable for the cost of accidents occurring in that class. No contributions from employees are permitted.

The compensation to which a workman is entitled under the Act takes the place of his right of action, and he may not sue his employer in court for damages for an injury sustained in the course of employment.

Benefits under the Acts include periodic payments to the workman during the period of temporary disablement (in all provinces on the basis of 75 per cent of average earnings, subject to the maximum annual earnings provided in the Act); an award for permanent disability (also based on 75 per cent of average earnings and subject to the ceiling on earnings provided in the Act) in the form of a monthly pension for life or, when disablement is slight, paid in a lump sum; all necessary medical aid, including hospitalization; and rehabilitation. In case of death by accident, fixed monthly payments are made to dependants. In addition to a monthly pension, a widow receives a lump sum payment and an allowance for funeral expenses.

The benefits payable under the Acts are set out on the following pages.

NOTE: For further information about workmen's compensation laws, see the annual bulletin *WORKMEN'S COMPENSATION IN CANADA* published by the Department of Labour of Canada and available from the Queen's Printer, Ottawa. Price 35 cents.

1. Monthly Benefits to Dependents in Case of Death of Workman

Funeral	Widow or Invalid Widower	Children with Parent	Orphans	Where only dependants are other than consort and child	Maximum
\$300 ¹	\$75 plus sum of \$200	Under 16, \$25 each ¹	Under 16, \$35 each ¹	NEWFOUNDLAND Sum reasonable and in proportion to pecuniary loss ²	75% of earnings. Minimum \$75 to consort, \$25 to each child or \$35 to orphan child unless total benefits exceed \$150 ³
\$300 ⁴	\$65 plus sum of \$200	Under 16, \$20 each ¹	Under 16, \$20 each ¹	PRINCE EDWARD ISLAND As in Newfoundland. Maximum to parent or parents, \$40. Maximum in all, \$60 ²	75% of earnings but Board may waive the 75% restriction where circumstances require it ³
\$250 ⁴	\$75 plus sum of \$150	Under 16, \$25 each ¹	Under 16, \$35 each ¹	NOVA SCOTIA As in Newfoundland. Maximum \$45 each. Maximum in all, \$60 ²	
\$300 ⁴	\$75 plus sum of \$200	Under 21, if attending school, \$25 each ¹	Under 21, if attending school, \$50 each ¹	NEW BRUNSWICK As in Newfoundland ²	75% of \$4,000 per year ³
\$600 ⁴	\$75 plus sum of \$300	Without age limit if attending school; otherwise, under 18; \$25 each	Under 18, \$35 each ¹	QUEBEC As in Newfoundland ²	75% of earnings. Minimum \$100 to consort and one child; \$125 to consort and two children; \$150 to consort and more than two children ³
\$300 ⁴	\$75 plus sum of \$300	Under 16, \$40 each ¹	Under 16, \$50 each ¹	ONTARIO As in Newfoundland. Maximum \$100 ²	Average earnings. Minimum \$75 to consort, \$25 to each child or \$35 to orphan child unless total benefits exceed \$150 ³
\$300 ⁴	\$75 plus sum of \$300	Under 16, \$35 each ¹	Under 16, \$45 each ¹	MANITOBA Maximum to wholly dependent mother, \$75. Other dependants—as in New- foundland. Maximum \$30 each. Maximum in all, \$60 ²	75% of earnings. Minimum \$75 to consort; \$110 to consort and one child; \$145 if more ³

\$250 ⁴	\$110 plus sum of \$300 ⁵	Under 16, \$45 each ¹	SASKATCHEWAN Under 16, \$60 each, plus a sum not exceeding \$50 at the discretion of the Board ¹	As in Newfoundland ²	Average earnings. Minimum \$110 to consort; \$155 to consort and one child; \$200 to consort and two children and \$20 for each additional child. ⁶
\$250 ⁴	\$75 plus sum of \$200	Under 16, \$40 each ¹	Under 16, \$40 each. Additional amount not exceeding \$25 may be paid to any child under 18 ¹	ALBERTA As in Newfoundland. Maximum to parent or parents, \$50. Maximum in all, \$85	
\$250 ⁴	\$90 plus sum of \$250	Under 16, \$35 each ¹ ; if attending school, \$35 between 16 and 18 years	Under 18, \$40 each; if able to attend school between 16 and 18 years and not attending	BRITISH COLUMBIA (a) As in Newfoundland. Maximum \$90 to parent or parents. Maximum in all, \$90 (b) If there is widow or invalid widower or orphans, maximum to parent or parents, \$90 ²	

¹ In Alberta, Manitoba, Newfoundland and Nova Scotia, payments to children may be made up to 18 years, in Saskatchewan up to 19 years, in Prince Edward Island up to 21 years, and in Ontario as long as a child is continuing his studies, if desirable to continue education. In Alberta, Newfoundland and Prince Edward Island, payments to invalid children are continued so long as Board considers workman would have contributed to support. In British Columbia, Manitoba, New Brunswick, Nova Scotia, Ontario, Quebec and Saskatchewan, payments are continued until recovery.

² Compensation in these cases is continued only so long as Board considers workman would have contributed to support.

³ For maximum earnings that may be reckoned, see Table 2, Column 5.

⁴ For transporting body for burial, a maximum of \$150 in Quebec, of \$125 in Newfoundland and New Brunswick and of \$100 in Alberta, British Columbia, Nova Scotia and Prince Edward Island may be paid. No maximum is specified in Ontario and Saskatchewan. In Manitoba, the Board may pay transportation expenses within the province and part of expenses if the body is moved into or from the province. In Alberta and British Columbia, only transportation expenses within the province are allowed. In Alberta, Manitoba and Saskatchewan, compensation may include payment for burial plot, not exceeding \$50.

⁵ Monthly pension of \$75 after the age of 70.

⁶ If consort is over 70, amounts are \$75, \$110 and \$145, respectively.

2. Benefits in Case of Disability

PERMANENT		TEMPORARY		Maximum Earnings Reckoned
Total	Partial	Total	Partial	
NEWFOUNDLAND				
75% of earnings. Minimum \$65 per month or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	75% of earnings for duration of disability. Minimum \$15 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident, for duration of disability ^{1,2}	\$5,000 per an.
PRINCE EDWARD ISLAND				
75% of earnings. Minimum \$20 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation may be based on impaired earning capacity estimated from the nature of the injury ^{1,2,3}	75% of earnings for duration of disability. Minimum \$20 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ^{1,2,3}	\$5,000 per an.
NOVA SCOTIA				
75% of earnings. Minimum \$110 per month or, if the workman has more than one child under 16, the amount which a widow with the same number of children would receive	75% of difference in earnings before and after accident or compensation may be based on impaired earning capacity estimated from the nature of the injury. If disability 25% or more, average earnings must be taken as not less than \$18.75 per wk. ¹	75% of earnings for duration of disability. Minimum \$20 per wk. or earnings, if less	75% of difference in earnings before and after accident for duration of disability ^{1,2}	\$4,200 per an.
NEW BRUNSWICK				
Average earnings but not in excess of 75% of \$4,000	Amount determined by Board, based on impaired earning capacity ¹	75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	If earning capacity diminished by more than 10%, 75% of diminution of earning capacity for duration of disability	\$4,000 per an.
QUEBEC				
75% of earnings. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings in accordance with the degree of disability ^{1,2}	75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ^{1,2}	\$5,000 per an.

ONTARIO			
75% of earnings. Minimum \$130 per month or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity ¹ estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	75% of earnings for duration of disability. Minimum \$30 per wk. or earnings, if less	75% of difference in earnings before and after accident for duration of disability ^{1,2}
75% of earnings. Minimum \$150 per month or earnings, if less	75% of difference in earnings before and after accident, or where deemed just, compensation may be based on impaired earning capacity estimated from the nature of the injury ^{1,2}	75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	75% of difference in earnings before and after accident or compensation based on impaired earning capacity estimated from the nature of the injury for duration of disability ¹
SASKATCHEWAN			
75% of earnings. Minimum \$30 per wk.	Proportion of 75% of earnings based on impaired earning capacity ¹ estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	75% of earnings for duration of disability. Minimum \$30 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity ¹ estimated from nature and degree of injury for duration of disability ²
75% of earnings. Minimum \$35 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity ¹ estimated from nature and degree of injury ¹	75% of earnings for duration of disability. Minimum \$35 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity ¹ estimated from nature and degree of injury for duration of disability
BRITISH COLUMBIA			
75% of earnings. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity ¹ estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident ^{1,2}	75% of earnings for duration of disability. Minimum \$25 per wk. or earnings, if less	Proportion of 75% of earnings based on impaired earning capacity ¹ estimated from nature and degree of injury, or, if more equitable, 75% of difference in earnings before and after accident for duration of disability ^{1,2}

¹ If earning capacity is diminished 10% or less (5% or less in Alberta), a lump sum may be given.

² The minimum payable in case of partial disability is the same proportion of the minimum for total disability (see preceding column) as impairment is of full earning capacity.

³ Board may fix compensation on basis of \$15 per week, even though average earnings are less than that amount.

STANDARDS IN THE YUKON AND NORTHWEST TERRITORIES

A number of labour standards have been established by the Territorial Councils of the Yukon and Northwest Territories in the fields of legislation covered by this bulletin.

Statutory School-Leaving Age

In both Territories a School Ordinance provides for compulsory school attendance. The Yukon Ordinance makes it compulsory for a child to attend school to the age of 14. In the Northwest Territories, a child is required to go to school to the age of 15 and, if he reaches his fifteenth birthday after December 31, he must attend to the end of the school year. In both Territories, as in the provinces, exemptions from school attendance may be permitted for various reasons, including illness and distance from school.

Minimum Age for Employment

Under a Mining Safety Ordinance in each Territory, the minimum age for employment below ground is 18 years. The Northwest Territories Ordinance also sets a minimum age of 16 years for employment above ground in mines.

Annual Vacations with Pay

The Annual Vacations Ordinance of the Yukon Territory provides for an annual vacation of two weeks with pay after a year's service for all employees except those employed in family undertakings and in domestic service in private homes. The vacation pay to which an employee is entitled is one twenty-sixth of his annual earnings. The vacation must be given within 10 months after the date on which the employee becomes entitled to it. An employee whose services are terminated before he has worked a full year is eligible for vacation pay (one twenty-sixth of his earnings for the time he has been employed), provided he has been employed for a period of at least 30 days.

Maximum Hours of Work

The Mining Safety Ordinances of both Territories provide for an eight-hour day for work below ground in mines. This is the only statutory regulation of working hours in mines in the Northwest Territories.

In the Yukon Territory, hours of work and public holiday provisions are contained in the Labour Provisions Ordinance. This Ordinance, like the hours of work legislation of Manitoba and Saskatchewan, does not impose limits on hours. It requires time and one-half the regular rate to be paid after 8 hours in a day and 44 hours in a week in shops, and after 8 and 48 hours in other employment with the exception of underground work in mines. "Shop", defined as an establishment where wholesale or retail trade is carried on or where services are dispensed to the public for profit, includes a hotel or restaurant.

Limits of 8 and 48 hours apply to mining operations underground in a shaft or tunnel. With the consent of their elected representatives, employees who work in shifts in mining operations are permitted to work longer hours than 8 and 48 without payment of overtime rates, provided that their average hours over a period of four weeks do not exceed 8 per day or 48 per week.

Limits of 8 and 48 hours apply to employees engaged on public works unless the Commissioner of the Territory orders otherwise, in which case he may require the payment of time and one-half the regular rate for time worked in excess of 8 and 48 hours.

Public Holidays

The Ordinance also prohibits work on six public holidays unless time and one-half the regular rate is paid. The holidays are New Year's Day, Good Friday, Dominion Day, August 17 (known as Discovery Day), Labour Day and Christmas Day. Where any of the six specified holidays falls on Sunday, work is prohibited on the following Monday.

Workmen's Compensation

Each Territory has a Workmen's Compensation Ordinance which makes the employer individually liable to pay compensation and requires him to carry accident insurance to cover his liability or to make other arrangements acceptable to the Commissioner. Under both Ordinances, the Alberta Workmen's Compensation Board acts as Referee to determine disputed claims.

Both Ordinances were amended in 1961 to increase the compensation payable to widows and children with respect to accidents occurring after the effective date of the amendments. Lower scales of benefits are in effect for pensioners in receipt of pensions as a result of earlier accidents.

Under the Northwest Territories Ordinance, a widow is entitled to \$300 for burial expenses, a lump sum of \$300, and, with respect to an accident occurring on or after January 1, 1962, a monthly pension of \$90 payable until remarriage or death and \$35 a month for each dependent child under 16. Under the Yukon Ordinance, the corresponding amounts are \$250 for burial expenses, \$300 as a lump sum payment, and, with respect to accidents occurring on or after July 9, 1961, a pension of \$100 a month to a widow and \$35 a month for the first two children in a family and \$20 a month for each additional child. In the Yukon, the allowance to a dependent child is now payable to the age of 18. Under both Ordinances, an additional payment, not exceeding \$10 a month, may be made, at the discretion of the Referee, to an orphan child under 16. Where the only dependants are persons other than widow or children, compensation is to be a sum determined by the Referee in proportion to the pecuniary loss sustained, not exceeding \$75 a month to a parent or parents or \$100 a month to all such dependants.

Under both Ordinances, a workman who is permanently and totally disabled is entitled to receive a life pension equal to 75 per cent of his average weekly earnings. In any case he may not receive less than \$25 a week or his full earnings, if less than \$25. For a workman with a permanent partial disability, compensation is a proportion of 75 per cent of his average earnings, depending on impairment of earning capacity as a result of the injury. In computing average earnings, the maximum amount of annual earnings which may be taken into account is \$4,000 in the Yukon Territory (with respect to an accident occurring on or after January 1, 1956) and \$4,500 in the Northwest Territories (with respect to an accident occurring on or after January 1, 1962). Under both Ordinances, lower ceilings are applicable with respect to earlier accidents.

In addition to compensation payments, the injured workman is entitled to medical aid, the cost of which is borne by the employer. The Referee may require the employer or insurer to pay the expenses of occupational retraining of a permanently disabled workman, up to an amount not exceeding \$5,000.

Fair Employment Practices

The Fair Practices Ordinance of the Yukon Territory, enacted in 1963, prohibits discrimination in employment and trade union membership (and also in regard to multiple housing and public accommodation) on grounds of race, religion, religious creed, colour, ancestry, or ethnic or national origin.

The Ordinance is patterned after the provincial fair employment practices laws. It bars an employer from refusing to hire, from discharging, or from discriminating in any term or condition of employment against any person on any of the above-mentioned grounds. It prohibits the use of job application forms that require an applicant to give particulars as to his race, religion, religious creed, colour, ancestry, or ethnic or national origin. Trade unions are forbidden to discriminate on any of the same grounds in admitting, suspending or expelling a member.

The prohibitions do not apply to domestic employment, to non-profit charitable, philanthropic, educational, fraternal, religious or social organizations or those operated to foster the welfare of a religious or racial group, or to employers who employ fewer than five persons.

The Ordinance does not deprive an employer of the right to employ persons of any particular race, religion, religious creed, colour, ancestry, or ethnic or national origin in preference to other persons, where such preference is based upon a *bona fide* occupational qualification. Schools in which religious instruction forms part of the curriculum are permitted to hire persons of a particular religion or religious creed.

Procedures for the enforcement of the Fair Practices Ordinance are similar to those in the provincial fair employment practices laws, providing for investigation of complaints of discrimination, the adjustment of cases through discussion and mediation, and for prosecution and penalties as a last resort.

A complaint alleging discrimination is to be made to the officer appointed by the Commissioner of the Territory to deal with such matters. The Commissioner may then appoint an officer to inquire into the complaint. If a settlement is not reached through conciliation, the officer must recommend to the Commissioner the course that ought to be taken and the Commissioner may issue whatever order he thinks necessary to put the recommendations into effect. A person affected by such an order may within ten days appeal to a judge of the Territorial Court, whose decision is final.

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